



# The Jo'burg Summit

It is easy to argue that the Summit will fall short of the role it should have played, and the potential that it seemed to have only a year ago. Easy, but also a waste of time.

We are where we are, and the situation is as it is. Over the next two weeks, we still have the opportunity to accomplish two strategically important imperatives. Whether we do so will largely determine whether the next decade of the transition to sustainability will be materially different from the last.

It is necessary first that we recommit ourselves to the fundamental wisdom of Rio. Societies that are just and sustainable are achievable, but only through the integration of economic development, environmental protection, and social development. The transition to sustainability is not easy, but it is possible, and since the alternatives are so disastrous for our future it is imperative. The existence of the opportunity and the price of failure create the responsibility. The political declaration must be unequivocal on this point, and the negotiated text and voluntary partnerships must be fully consistent with it. Sustainable development will always be a complex of issues and agendas that can be addressed in competition or in co-operation. The lesson of Rio is that the competitive, isolated special interest approach is ultimately impotent. We will reach success on all three components of sustainable development together, or not at all.

It is also necessary that we complete the deliberations here with outspoken honesty in regard to four fundamental lessons of the past decade. The Johannesburg response will enable or prevent successes as we pursue the transition to sustainability.

First, virtually every challenge to sustainability that we face today was identified at Rio, and addressed in Agenda 21. It has not been confusion over their nature and importance that has kept us from addressing them effectively. While there have been significant changes in the context within which we must address these challenges, the challenges themselves were already identified and focused. All that has changed is that many of the problems have become even more urgent and pressing over that decade. We do not need more analysis and agenda setting. We need implementation and action.

Secondly, we need much more rigorous monitoring of our progress - or the lack of it. Nations made more than 3000 promises to themselves and to those they represented at Rio, but have set no clear priorities or benchmarks against which progress can be regularly assessed and corrective action taken. The Millennium goals, and the WEHAB priorities now offer the possibility of a more focused effort over the next ten years. But there is still no clarity on the process for monitoring progress, and keeping everyone on track towards the targets.

Third, no nation, nor the international community, have created the context in which these challenges and promises can be rigorously monitored and managed. National authorities remain fragmented, unfocused, and even where there are organizational foci for sustainability issues, they are usually politically weak, and lack clout in the all important debates for power, resources and influence. The CSD has been marginalized within the UN system, and dominated by petty issues - a recipe for an interactive witches brew of irrelevance. The other organizational fiefdoms of the UN and the Bretton Woods system all too often value their autonomy more than a cooperative search for sustainability results. We must either strengthen the CSD and its capacity to drive action on sustainability forward, or place responsibility in some other more powerful and effective part of the international machinery. And of course such strengthening of the international machinery will only make sense if countries are at the same time taking steps to reinforce their own national machinery for driving sustainability forward from the centre of national government.

Fourth, no individual nation, nor the international community, is yet investing their resources domestically or internationally as though the problems of sustainability were real and central. Our rhetoric at Summits, and at

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meetings of the Commission on Sustainable development says one thing. Our behaviour for most of the 1990s spoke far more loudly, and transmitted a different message. Now for the first time for a generation several major countries seem to be shaping up to at least to begin to move in the right direction with new programmes for some of the major sustainability issues nationally, and some additional commitment of resources to help poorer developing countries with their own pressing development and sustainability needs. But it is only a beginning, and political memories and promises are short. We need much clearer and more effective machinery for measuring results and keeping ourselves up to the mark on financial commitments to sustainability.

There is a cynical perception around that nations meet in Johannesburg reluctantly, driven by the tyranny of the calendar, rather than a sense of purpose, with no definition of success for the meeting, and hoping to avoid the commitment of new and additional resources, particularly in terms of domestic agenda and policies. The Summit that should be a spur to action has become, to too many powerful nations, an onerous task, and a civil society and public relations gauntlet of conflicting interests to be run and to be survived with as little new commitment as possible.

Some of the official delegations appear to be operating on a minimalist brief:

1. Prevent the adoption of specific goals, particularly at the national level, where accountability can be established.
2. Where goals are adopted, ensure that they are global, incapable of being disaggregated, and that they are patently unrealistic and unachievable;
3. Oppose any specific commitment to new and additional resources from governments;
4. Prevent the adoption of priorities
5. Be sure that there are no fixed reporting responsibilities for governments and that there are no institutions where nations can be held accountable, even for basic reporting of data
6. Oppose the commitment of resources to develop methodologies and institutions that can independently measure and publicly report progress.
7. Treat Sustainable Development as primarily an international issue. Support intergovernmental processes and institutions where responsibility and authority are separated and where substantive foci are narrow and fragmented
8. Quibble about the need for reforming Bretton Woods and UN agencies and institutions. Insist that all the details be known before a commitment to reorganization and reform is adopted.

As ministers leaders arrive to take over the reins in this last stage of the negotiations there is at least a chance to break out of this despairing minimalism and to push for a significant and inspiring political commitment by the heads of government and political leaders who will be present next week.

What are the essential points we need in the political declaration?

A clear reaffirmation of the Rio principles, and recognition of the additional inspiration of the Earth Charter.

Clear commitment to changes in government policies and actions, demonstrated by domestic reforms and commitment of

human and financial resources.

A clear focus on results, with clear and realistic commitments to quantifiable targets and effective ways to gauge progress and ensure accountability.

A clear commitment to fundamental institutional reform at the international level

Even at this late hour there is much that could be achieved on these lines during the days ahead.

*David Hales & Derek Osborn, Stakeholder Forum*

## **News, News, News**

### **Vienna Style Informal Negotiations - Report on the Weekend WSSD Sessions**

As delegates filed into a tiny and cramped room, NGO's were invited to leave by the chair, who said they had "no reason to be observers of the negotiations.". It is understood, however, that the negotiations continued in a similar way to those in Bali - painfully slow. Only the bold and bracketed text were discussed - those issues, that had not been resolved for the past two Preparatory meetings. Leaving one to ask the question how then could agreement be reached in a mere two days? In order to assist the process of conflict resolution contact groups were set up.

Despite the ongoing problems of the negotiations, progress was made on Saturday - but at what cost we have still to find out. Bi-lateral negotiations are certainly taking place, where targets and stronger language are being traded. This process is not unexpected, but also it is unlikely to give us a strong Plan of Implementation. Hearsay and supposition indicates that some sort of an agreement may have been reached on certain key areas, such as to allow inclusion of the principle of common but differentiated responsibilities within Para 2. But this has caused unease amongst delegations, who are concerned about what has been given up in return. Agreement was reached for around 10 paragraphs, after 6 hours of negotiations. However, this progress was not met positively by all. Agreement on Para 6(e), met with no objection regarding support for 'sustainable harvesting' of renewable resources by indigenous communities. As some NGOs pointed out, this ambiguous term could open the way for the "sustainable" harvesting of key species such as whales i.e. species which could really do without the additional pressure.

Chapter 6 on Health and Sustainable Development kicked off the Sunday morning's informal negotiations. The chair announced that an "agreed" paragraph of the text (47) on health care systems had since been questioned by Canada, who felt that the text hadn't actually been agreed during Bali and that they wanted to insert new text about delivering basic health services "in conformity human rights and fundamental freedoms". There was an immediate backlash from the US, Holysea (Vatican) and G77, who protested that the paragraph had been agreed as an entire package. The Holysea has an unspoken objection to recognise such "freedom" because, by inference, it might mean supporting the right of women to have abortions. As a result the Holysea announced that if Canada insisted on inserting this text then the whole paragraph would have to be re-opened. However, in support of Canada, the Danish representative for the EU quoted the Bali negotiation. Dur-

ing which, they said, Canada, EU, New Zealand and Australia had clearly stated that the sentence was NOT agreed. The chair, in a desperate bid to get through everything by the end of the day, moved quickly on from this issue, but it is clearly one that will not be easily resolved. This first stumbling block was then followed by skipping a number of outstanding paragraphs, either being dealt with by one of many breakout groups that emerged from Saturday, or avoided because of lack of consensus.

Sunday afternoon, the group was left awaiting report backs from some of the contact groups. This includes a group focusing on the Rio Principles which, at the time of writing, was trying to clarify the scope of "Common but Differentiated Responsibilities". With regards to discussions on the water sanitation target, Canada reported that no compromise had been reached, pointing to a lack of real will to find agreement. The groups then tuned to outstanding issues in the text. The G77 took on para 9. b, regarding respect of ILO core labour standards. They proposed new text but this put to one side to allow other governments to review it. One result was achieved with the US accepting a target for UNEP's Global Programme of Action in 2004 (paragraph 52.e). However another target emerged in the afternoon, which was not so easy to agree. Para 23 on reversing the current trend in loss of natural resources by 2015, remained problematic, especially for the US and Australia, and was left open for later resolution.

Representatives from South Africa, JUSCANZ, EU, G77 indicated they would work together to try and clean up these outstanding issues. The informal group is expecting presentations from the contact groups for the Sunday evening session. However, as things stand, it seems likely that Monday morning will find a number of these issues are still up for the offing.

### Stakeholder Action : IC NOW

The Implementation Conference: Stakeholder Action for Our Common Future (IC), being held here in Johannesburg from August 24<sup>th</sup> to 26<sup>th</sup>, is acting as a hot house for bringing on new partnerships. Four hundred stakeholders from over 50 different countries are working with 26 facilitators from around the globe to finalise by Monday afternoon 26 action plans/partnerships. Fourteen draft Type 2 agreements have already been submitted and the potential partners are striving to finalise them before the closing plenary. Every few minutes it seems that a facilitator comes into the conference office seeking to type up the outcomes of a new action plans.

The IC closing plenary is to be held in the brand new Kgotla Room at the Indaba Hotel, Sandton at 3.00 pm at which the newly finalised action plans/partnerships will be announced. WSSD participants are welcome to attend. Announcements of the new partnerships will be interspersed with speakers including Kader Asmal, South African Minister of Education, Achim Steiner, Executive Director of IUCN and Ambassador Dan Neilson representing the EU Presidency.

The Implementation Conference itself is seeking to initiate and strengthen collaborative stakeholder implementation of sustainable development. As such it is one, albeit key stepping-stone in a long-term process, which Stakeholder Forum started in the autumn of 2001. Within the framework of type 1 & type 2 outcome documents for the Johannesburg Summit,

the Implementation Conference is seeking to develop type 2 outcomes: partnership initiatives to further the implementation of the sustainable agreements.

Four issue areas have been identified as being particularly receptive to this approach, namely Energy, Food Security, Freshwater, and Health. All four are issues highlighted by Kofi Annan in his WEHAB list of the five key issues for the summit. These four issues are being addressed with a view to poverty eradication, social inclusion and empowerment, good governance, gender equity and corporate / stakeholder citizenship

Multi-stakeholder Issue Advisory Groups were established at the beginning of the year and to guide the development, identifying possible collaborative action plans and potential partners for each issue.

IC outcomes are building on good practice and address identified gaps. They can comprise of:

- strengthening / supporting existing partnership initiatives
- broadening existing partnership initiatives, ie adding a wider range of partners
- replicating good practice partnership initiatives
- creating new partnership initiatives

Particular attention is being paid to the means by which the action plans are to be financed. In some cases the action plans are being financed by the partners involved; some are broadly commercial in nature and able to access commercial funding; whilst others require financial support of some kind, in which case steps will be taken to identify and secure that support.

The objective is that, by the end of the conference, stakeholders will commit to concrete, agreed and owned collaborative action plans aimed at implementing the Sustainable Development Agreements in the four issue areas. These outcomes will be made available to the Summit itself and a follow-up process will be launched.

All possible IC outcomes should benefit from the value added through a multi-stakeholder approach, namely:

- increased quality by integrating a wider range of expertise
- increased credibility by integrating different perspectives / interests
- increased outreach into various stakeholder communities

The process draws heavily on Stakeholder Forum's projects on multi-stakeholder processes, which led to the book Multi-stakeholder Processes for Governance and Sustainability – Beyond Deadlock and Conflict (Earthscan 2002) by Minu Hemmati and others. The book offers a set of principles for multi-stakeholder processes and a checklist for those developing.

The Implementation Conference itself commenced on Saturday with an opening plenary with contributions from John Turner, US Assistant Secretary of State, Dr Sekobe of the South African Health Department and Nitin Desai, Secretary of the WSSD who each gave their own slant on the role of partnerships in contributing to the implementation of sustainable development. The objectives of the conference were outlined, the results of which will be seen on Monday afternoon. [www.earthsummit2002.org/ic](http://www.earthsummit2002.org/ic)



# Stockholm Talks to Johannesburg

## Water – the Key to Sustainable Development

In a very few days, the world will gather for the World Summit on Sustainable Development in Johannesburg, South Africa. We call on Heads of State, and the global community to agree on concrete targets, time bound measures and action plans to change the way the world manages water. Failure to do so at this Summit will be detrimental for billions of people and for threatened ecosystems for decades to come.

United Nations. Secretary General Kofi Annan has appropriately identified water as one of the top five priorities for this Summit. Since the Earth Summit in Rio 1992, the water situation in a majority of the countries of the world has in fact worsened. Today 1.2 billion people still lack access to safe water; 2.5 billion live without proper sanitation. Two million people, mostly children, die each year from water or sanitation related diseases – the equivalent of a jumbo-jet full of children crashing every four hours. It is alarming that already one third of the world's population live in countries facing a water stress; by 2025 that number could increase to two out of three.

The story is not just about water. The relationships between water, poverty alleviation and sustainable development are increasingly evident. People suffering from lack of water, or become ill from water and sanitation related diseases are unable to sustain their own livelihoods or to contribute to the social and economic development of their society. Their road towards sustainable development is narrowed. Global peace and security are consequently diminished.

“Water is *the* key to socio economic development and quality of life”. This five-year overarching theme of the Stockholm Water Symposia has attracted thousands of participants to Sweden each summer from governments, non-governmental organisations (NGOs), water professionals, scientists and the business community. At the Stockholm Water Symposium this year there was a rare degree of unanimity among us on four basic principles which must set the road ahead.

- **Water users must be involved in the governance of water resources.**

The behaviour of local water users is the ultimate test of policy success. Users must be informed and closely involved in the governance decisions affecting their freshwater use. While it is essential that government exercise a strong hand in protecting natural resources and the common good, it must accomplish this through a close, effective and continuing dialogue with water users.

- **We must break now the link between economic growth and water degradation.**

Activities generating wealth often contaminate water, resulting in pollution of rivers and groundwater throughout the world. If this continues unabated, available water is too polluted to use, and the world has less water available. Positive, proactive national and local action toward water pollution abatement and restoration is essential today to avoid even more severe problems in coming decades.

- **Urban water services are crucial for urban stability and security.**

An adequate flow of water through a city is a necessary condition for the health of its inhabitants and also for the functioning of industries, hospitals and other city components. A secure water supply is essential for a sustainable city, and realistic, budgeted planning must extend to the poor and peri-urban areas of our cities.

- **Policy, planning and implementation must move towards integrated solutions.**

In its downstream flow water is linked to land use and ecosystems in a river basin. Water management, land use and ecosystem policies must therefore complement rather than counteract each other. Sectoral approaches to drinking water supply, water for food production, and water for nature must urgently be complemented by an integrated approach which considers all of these. Institutional arrangements must be put in place to ensure integration.

Our conviction on the vital importance of these four principles is well founded:

- **Protecting the ultimate *renewable* resource – freshwater, is related to and as urgent as preparing for climate change.**

The water that comes to us as precipitation is our key to survival and prosperity. This water is literally consumed in plant production on rainfed crop fields, in forests and grasslands. It is our "green water" used for food production and by ecosystems. It also determines the amount of water available for societal use, and the water that passes through rivers and groundwater formations, our "blue water". Protecting this ultimate freshwater resource, the precipitation over the river catchment, must be our first concern. And it may change with climate variability. The need for improved water management, and readiness to change as patterns change is the urgent dimension of responding to climate change. And while as a global community we argue about the effects of climate change in the decades ahead, the effects of the current water crisis are already devastating for billions of people in developing countries, as well as for ecosystems all over the world.

### **Now is the time to act**

Despite statements and declarations at different international meetings during the last decade, actual improvements on the ground lag seriously behind. The UN Millennium Assembly Development Target – to halve by 2015 the people living in extreme poverty, suffering from hunger or unable to reach or afford safe drinking water – will not be achieved unless governments realise that water is involved in almost every kind of development and human activity. Water issues cannot be the sole concern of experts. They constitute nothing less than a central question of human survival: *This means water is everybody's business.*

### **Major shifts in thinking and massive investments are both needed**

Firm political commitment is needed to decide on the necessary measures and on how to secure the financial resources required. To address the problem of 1.2 billion people without safe water access, 2.5 billion people without sanitation and to address some of the environmental damage, the World Water Commission reported to The Hague Ministerial Conference in 2000 that \$170 billion per year of investment is required.

Some \$70 billion dollars are now invested annually. To meet the Millennium goal of water for the poor alone will require some \$25 billion per year in financial resources *and* greater involvement by the poor themselves *and* community and stakeholder involvement including the private sector harnessing their energies to find cost effective options.

None of these things will happen unless water is given an appreciably higher priority by developing country governments, in bilateral aid and by international financing institutions.

Some fundamental problems will be resolved only when we freely acknowledge that there are costs involved in the supply and use of water. We must be transparent about what those costs are so that we can begin the task of finding out how to meet the costs and tackle head on the question of how best to protect the needs of the poor while moving to determine what measure of cost recovery should apply at household, city, metropolitan, economic sector and national levels.

#### **Decision makers must act now – at the Johannesburg Summit**

Heads of State of the international community need to put water high on their agenda and uphold the integrated approach to freshwater management. Immediate action is needed to:

- improve governance of water resources and water services
- establish participatory mechanisms
- improve dramatically drinking water supply and sanitation
- establish regimes for integrated management of river basins and aquifers including where these are for trans-boundary waters
- increase water productivity, get more benefit from each drop of water, both in agricultural and other uses
- prevent pollution of both ground-and surface water
- protect and restore vulnerable ecosystems

We challenge the governments and Heads of State to show true visionary leadership at the World Summit, and take action today.

Today, *you* have the chance to make the difference!

*Global Water Partnership (GWP) International Water Association (IWA) International Water Resources Association (IWRA) Stakeholder Forum Stockholm International Water Institute (SIWI) Water Environment Federation (WEF) World Business Council for Sustainable Development World Water Council (WWC)*

## **Bio-Diversity: The planet's life support system**

*The WSSD Agenda is as broad as it is long, with many complex issues due to be discussed. In the midst of it all though are the Secretary General's WEHAB issues. OUTREACH will be taking each in*

*succession, looking at why they are on the table and what can be achieved. Jo Phillips, Stakeholder Forum, leads with Bio-diversity.*

Biodiversity and the essential goods and services it provides underpin sustainable development, prosperity and well-being. Biodiversity, as well as having ethical, spiritual and community values, forms the life support system for the planet. It is a simple ecological imperative that humans, along with all other animal species, depend on this planet's biological diversity to provide nutrients for growth and reproduction and to maintain the ecological cycles that allow the biosphere to function.

If we are to achieve sustainable development and the Millennium Development Goals (MDGs), the role and relevance of biodiversity, must be integrated in other sectoral areas and mainstreamed. There is a need to for much closer co-operation between the broader biodiversity sector (biodiversity, oceans, forests, freshwater etc.) and the Commission on Sustainable Development (CSD). The Convention on Biological Diversity (CBD), an important and significant outcome of Rio, and biodiversity experts cannot support sustainable development and ultimately biodiversity by working in isolation. There is a need for an ongoing process to integrate biodiversity issues into other sectoral areas, including trade and finance. The WSSD provides a valuable opportunity to address this fundamental issue as part of an on going programme of communication, review and monitoring.

The Current Plan of Implementation falls short of making these links and, with targets still un-agreed, there is a clear need for many key issues to be confronted. The 'WEHAB' papers<sup>1</sup> under discussion during the first three days of the Summit could be applauded for aiming to "to highlight inter-linkages among the sectors, to identify key gaps and challenges and to highlight areas where further action is needed". However, these potentially valuable contributions will be wasted unless dialogued openly and placed into a widely endorsed context of future action. And let us also hope that key concerns over lack of transparency and inclusion in their preparation do-not lead to their being disregarded.

The WSSD WEHAB dialogue sessions (Monday 28<sup>th</sup>- Wednesday 30<sup>th</sup>) provide an opportunity to help initiate discussion on how we can effectively communicate around these issues to take forward key elements of sustainable development and the outcomes of the WSSD. This opportunity would perhaps be wasted if only used to rehash old substantive discussion best voiced in other Summit arenas. Many questions arise from the proposed Frameworks and the examples of activities – further open consultation would help to answer some of these - as the biodiversity paper itself states "limited public participation and stakeholder involvement" is one of the key challenges and obstacles to making progress. As well as transparency and accountability, there are number of other key issues:

- 1) WSSD / TYPE 1 INTREGRATION - there is a clear need to clarify how these papers will mesh with the Plan of Implementation and multilaterally agreed. The release of these papers could be seen as a first stage of the 'partnership' process it describes (p. 25) but, most importantly, they must not be seen as a substitute for weak Type I outcomes.
- 2) WIDER RECOGNITION THAN SECTORAL

GROUPS – there is a need to ensure that these papers are read by groups outside the sector in question. The international agencies, governments and stakeholders must all engage with the underlying remit of truly sustainable development.

- 3) MAKING IT WORK – many of the examples of targets and actions do not specifically address “how” to deliver ambiguous, difficult and controversial targets or who will take the lead on them. There is a need for dialogue to determine who will review and/or monitor the framework processes – this role could be combined effectively with monitoring and review of the WSSD outcomes which must be addressed.

The Biodiversity paper provides a valuable contribution to the WSSD agenda in many ways. It builds on the strengths and addresses the weaknesses of the current Plan of Implementation. It provides a clearer link between the Type 1 and Type II outcomes and a more structured approach to addressing the links to the Convention on Biological Diversity (CBD). It also usefully provides a breakdown of action areas, indicative targets and milestones. More generically, it makes crucial linkages (horizontally and vertically) between other sectoral areas, other WEHAB issues and the Millennium Development Goals, and most significantly it highlights the fundamental importance of biodiversity as the “planet’s life support system”.

Significant omissions are links to other broader biodiversity agendas such as oceans and forests. There is also concern that the paper focused too much on developing countries. This is despite recognition in the text that “perhaps the most basic driving force is an unsustainable pattern of production and over consumption of goods and services by a relatively small proportion of the human family” – over-consumption by industrialised countries and by the elite in poorer countries has frequently been singled out as a key driver of biodiversity loss and increased poverty.

Whilst generally comprehensive, the section on ‘Challenges and Obstacles’ has missed some key Biodiversity issues. In particular it does not address possible conflicts with shareholder and profit priorities, and it does not refer to the lack of understanding, and short-termism within Economic policy and financial resources. Unless viewed in a long-term strategic sense, biodiversity will be constantly undervalued, ultimately jeopardising the needs of future generations.

‘Frameworks for Action’, necessitates a partnership approach, and calls for “closer cooperation and integration with the public and private sectors and with civil society at large”. This is particularly emphasized in the page dedicated to the ‘Building and Implementing of Partnerships’. Missing from the partnership section is the need to address capacity building to enable equitable stakeholders involvement and the adoption of a rights-based approach to ensure a level playing field amongst all partners. Incentives and regulatory measures to encourage corporate responsibility and control are also missing – in fact the role and impact of industry has been largely ignored. Resources and funding, and no reference to the Global Environment Facility is also a curious omission to this section. Further to this, definition, practicality and methodology, measurement, monitoring and review of targets needs to be outlined. Who would coordinate implementation of the key processes within the framework is fundamental.

In conclusion, whilst we are not going to solve all the outstanding issues tabled at the WSSD, the WEHAB papers do provide a useful starting point to open debate for how such issues might be addressed in the future. The key is to provide a context within which the most difficult and controversial can be addressed freely and productively. Among other things, this calls for a major change in the way these issues are coordinated by the United Nations system. As part of this, there is clearly a need for the biodiversity world to interact more openly and readily with other sectors and for others to do the same.

*Jo Phillips, Stakeholder Forum*

## Governance: What’s up for debate?

*Among the many issues still to be resolved here in Johannesburg, governance is often over-looked. However, the institutional structures which will carry the Sustainable Development agenda forward, post summit, are pivotal. Stakeholder Forum’s Rosalie Gardiner offers some enlightenment.*

The main obstacles to reaching agreement on the “institutional frameworks for sustainable development” (para 120 – 153) section of the Draft Plan of Implementation [June 26<sup>th</sup> 2002] are those outstanding elements that remain bold or bracketed within the text. These include the following areas described below.

**International targets** - All the key International Development Targets or Millennium Development Goals (MDGs) are currently included in the draft text. It is also encouraging that there are a number of new targets that have been introduced. These include targets on:

- Ecosystems and biodiversity (paragraphs (29.d)\*, [42.]\*\*)
- Integrated water resource management plans (para 25.)
- Fisheries management [30.a], (30.d)
- Marine protected areas (31.c)
- Oceans (32.) and (34.b)
- Food security strategies [61.a]
- Chemicals classification, management and safety, PICs and POPs (22.b), (22.a), (22.c)
- Energy supply and services, subsidies, renewables (53.a), [19.p.bis], [19.e]
- Decade of Education for Sustainable Development (107.d)
- Health education (47.e)
- Forests Assessment (43.g)
- Ozone funds, alternative substances (37.b), (37.d)
- Sustainable tourism (52.g)

\* (agreed references in text)

\*\* [references in text non agreed]

However, many of the new targets and even some existing MDGs remain in brackets, requiring further negotiation. Most disappointing has been the failure to recognise a previously agreed target on establishing National Strategies for Sustainable Development (NSSDs) by 2005 (para 145.b). The US was a clear opponent of this target, declining language that obliges them to produce an NSSD at all. Active proponents, e.g. Hungary and Norway, have sought to retain a reference – although they did concede the 2002 target for initiating production of NSSDs. Also disappointing is that some of the baseline dates for the MDGs have been moved forward. For example targets for infant and maternal mortality have moved from the 1990 level to 2000. In all probability, by shifting the date, this means there will be a reduction in the actual level of change that has to be implemented.

**Trade & investment vs. environment & development** – The potential for conflict between these areas has been clearly demonstrated in the negotiations on trade. This is by far the most dominating and difficult area in the entire negotiation. For the institutional section of the text, all the key points relating to trade and investment remain bracketed (para.123 –124). Many NGOs have demanded that Jo'burg must define the SD criteria which should drive the new Doha trade round. Yet certain governments remain clearly opposed to any substantive discussion about Doha or trade taking place during the WSSD. And in many ways it has certainly detracted from the environmental and social issues up for debate. However it also highlights an ongoing uncertainty in the global arena regarding the remit and authority of the UN to establish policy and international obligations in relation to these areas. There is a real need for clarification about the role of different intergovernmental bodies in dealing with trade and investment. A formal and transparent assessment should be instigated, with a sufficient mandate to ensure some follow through of the recommendations it makes. One immediate option would be to utilise the existing World Commission on the Social Dimensions of Globalisation (established by the ILO) to broaden its view and incorporate environmental, as well as social, elements and thereby develop proposals where these roles can be further elaborated.

**Rio Principles** – It is disappointing that a number of pre-existing Rio principles including the; precautionary approach (Paragraphs [22], [23], [45.alt.e and e.alt] [93.e.bis]), participation (numerous), polluter pays (paragraphs (10.b) and (18.b)), and common but differentiated responsibility, remain bracketed in the text. The international community needs to be consistent in its recognition of these. A clear commitment to the principles is vital for establishing a strong basis for future progress in legal and policy frameworks.

**Good governance** -The debate on good governance took a nasty turn in Prep Com 4. There are now seven alternative variations in the text trying to tackle this concept (para 146). The G77 repeatedly raised concerns about the emphasis on national or domestic responsibility for good governance, fearing further imposition of “conditions” would be attached to aid provision. The call for good governance from the donor countries is understandable to some extent, but G77's argument - that good governance should apply to all levels and in all countries - is an equally valid position and one that could be better reflected in the text. The definition of good governance is taken almost verbatim from the wording of the Monterrey Declara-

tion. However, there is no reference to the need for better horizontal and vertical integration between and within institutions.

**Human rights and environment** - The relationship between human rights and environment (para 151) is another issue of contention in this part of the text, as are general references to human rights (para 120.d). There is an inherent understanding, in both the Stockholm and Rio Declarations, about the linkage between the natural environment and humans. They recognise that the environment is essential “to the enjoyment of basic human rights - even the right to life itself.”. The links between human rights and the environment were also clearly identified at the Fourth UN Commission on Sustainable Development (1996). The UN Commission on Human Rights identified over sixty national constitutions that refer to the right to a healthy environment. Also the interdependent relationship between the right to a healthy environment and support for other human rights has been repeatedly acknowledged. NGOs and some governments, e.g. Norway and some EU member states, have indicated their strong support for this issue, yet it still remains bracketed in the text. Governments need to be clear in the Plan of Implementation about how central the environment remains to ensuring our rights, our quality of life, and in the fulfillment of our basic needs.

**Finance** - Specific and quantified financial commitments, including funds for the multilateral environmental agreements (para 122.f), further debt relief, and meeting ODA commitments, are either in brackets or entirely lacking from the text. Real political support for this process will be principally indicated by substantial financial commitments from governments. The reference to Global Public Goods [para. 98 and 98.alt] in the main text remains undecided in the negotiations. This is another important area, and there is a need to identify new and additional financial mechanisms aimed at the provision of such goods, including biodiversity, climate, and financial stability.

#### Other ongoing concerns

**Domestic legislation** – There are some elements still to be agreed in the text that seem to be outright controversial. For example there is currently, albeit as yet unagreed, text in the section on trade and finance institutions which says,

“[Prevent extraterritorial application of domestic legislations;]” (123.b)

This short sentence could mean that significant beneficial national laws could no longer apply. Legislation such as the US Foreign Corrupt Practices Act (1977) could no longer apply. This act currently enables the US as the “home” country to many of the major TNCs, to impose legal standards against corrupt practices in a company's overseas subsidiaries. Governments must give full consideration to the very serious implications of this phrase.

**Local and regional (sub-national) government:** There is no reference to how to better link international processes, central and local government around SD and provide support (financial and institutional) to enable local governments to do their jobs effectively. This is, in part, due to the lack of willingness to recognize a third tier within national governance at the regional / sub-national level by some of nations. This level has not been represented so far within the SD process, but perhaps now needs to be better reflected in future policy and negotiations.

**Participation of major groups** – This is an area that is still

very weak. Many governments have repeatedly emphasized the importance of Governments and stakeholders working more closely together to ensure significant progress towards sustainable development – yet there is a lack of reference about how the Multi-stakeholder dialogues could be more effectively used in the future to facilitate this.

**Marginalised stakeholder groups** - The paragraph which touches on this area (para 150) makes no recognition or allowances for the more marginalised groups. Additional support and funds need to be established to ensure that women, Indigenous Peoples and other under-represented groups are able to more effectively engaged in sustainable development.

### Conclusion

In general the clearest problem with the draft text on “institutional frameworks for sustainable development” is the lack of reference to any specific programme for enhancing institutional systems. The text needs to define and set in motion a new process of reform for sustainable development. Like all the other parts of the text, the process will need sufficient mandate to make any real changes. It needs specific goals and measurable targets. More importantly it has not clearly defined whether and how the UN Commission on Sustainable Development would coordinate and monitor a process that aims to build institutional frameworks are targeted towards sustainable development.

*Rosalie Gardiner, Stakeholder Forum*

## What could the Stakeholder Dialogues achieve?

*The first three days of the Johannesburg Summit will bring us a set of five Major Group Dialogue Sessions, based on the WEHAB issues. Derek Osborn & David Hales analyse the strengths and weaknesses of this process and seek the potential positive outcomes.*

There is considerable scepticism in the corridors about the stakeholder dialogues on the WEHAB issues, which are going to occupy the first three days of plenary. The word is that the stakeholder dialogue sessions have not been well prepared, and cannot be expected to deliver major results either in themselves, or as input to the main conference.

The three main weaknesses that we have heard mentioned are:

1. The five papers from the secretariat on the WEHAB topics have arrived late and have not been adequately consulted on either within the UN system or with governments or stakeholders. This is unfortunate because the papers are substantive valuable. They set out very clearly what is needed to ensure that further work on the WEHAB topics is conducted in a holistic way, taking account of the connections between the WEHAB issues and all other aspects of sustainability. A way needs to be found to build on these papers in the future,

even if they cannot be taken into immediate account in the current negotiations.

2. The different stakeholder groups have not been invited to prepare substantive papers of their own on the WEHAB issues, and still less to interact on them in a true multistakeholder process so as to identify a few agreed key issues on which to engage with governments. Many people have urged that the kind of genuine multistakeholder process organised for the Bonn water Conference meeting be taken as a model for the multistakeholder process, but it has not been done, and it is too late to change matters for the Johannesburg process now.
3. The stakeholder dialogues are being scheduled in parallel with other meetings and negotiations, and there seems to be little scope in the process for the dialogues to have much substantial influence on the negotiation of the conference conclusions and outcomes.

What then can be done?

One objective during the dialogues might be to look beyond Johannesburg, and to steer towards three main structural conclusions:

1. The importance of the WEHAB priorities, and of a strong international process for following up commitments, targets and action programmes on these subjects within a sustainable development framework, drawing on the SGs papers and the UN system activity there outlined.
2. The importance of genuine multistakeholder participation in the follow up process. This means a commitment to engaging stakeholders properly from the outset of any process, giving them time and resource to prepare their separate positions and to establish areas of common ground and disagreement between themselves
3. The importance of encouraging and continuing to nurture appropriate partnership activities within a strong framework of international and governmental action on the key WEHAB topics.

The dialogues will no doubt bring up a large number of interesting points and conclusions on the individual topics, which will need to be recorded. But they will have little after life or significance unless some consensus on these structural, process and follow up issues can be established. We hope that those participating in the dialogues will be able to establish some common ground on these themes.

*Derek Osborn & David Hales, Stakeholder Forum.*

## The Johannesburg Climate Legacy

*While we are all hear to endeavour to improve the state of the planet and its peoples, ironically our very participation leaves a negative footprint on the globe. The Johannesburg Climate Legacy offers an innovative way for us all to move from talking the talk, to standing up and walking the walk.*

Africa is home to 400 million people living in abject poverty, with over 50% of the population existing on less than \$1 per day. Global warming is yet another challenge for the continent: it will reduce the capacity to produce food by 30%, increase the risk of flooding and droughts, lead to mass migration, permanent loss of both land mass and species diversity.

Yet the most significant cause of global Climate Change is carbon emissions from the developed world. We're about to redress that balance in a very direct manner.

Under the umbrella of the WSSD, The Johannesburg Climate Legacy (JCL) 2002 measures the CO<sub>2</sub> emissions of the Summit (from aircraft flights to electricity used at the event itself). These emissions will be offset through investments in carbon-reducing sustainable projects across South Africa. Companies, individuals, governments can sponsor some of this 'offset' and, in so doing on this world stage, make one of the most important commitments in modern history to a sustainable future. In addition to the climate impact, the offset projects will have a massive and lasting impact on the sustainable development of local communities. Specifically, these benefits will include poverty alleviation, better educational opportunities, improvements to urban air quality, access to alternative sources of income and increased productivity.

JCL is the opportunity to demonstrate in a direct, practical and visible way that specific businesses support carbon responsibility. By delivering a voluntary programme aimed at individuals, JCL has also the potential to pick up the climate change agenda with a mass market and bring about shift change in behaviours and attitudes of peoples around the world.

JCL will impact real projects and affect real lives, by positively influencing all three sustainable development drivers – social, environmental and economic. It will provide forever a blueprint for the mitigation of the environmental impacts of hosting large international conferences.

The JCL project falls under the umbrella of the Greening the WSSD Process, which is being managed by IUCN in South Africa. To ensure the environmental and social integrity of Legacy projects, JCL is governed by a multi-stakeholder body (MSGB) comprising South African representatives of Business, NGO's, Government, Labour organisations and Renewable energy experts. IUCN country director, Saliem Fakir, chairs this governing body.

Two aims inform the certification process: it must be driven by local stakeholders through the Governing Body and Technical Working Group; the organisation that provides the certification must be seen to be independent and credible by local and international stakeholders. Therefore the verification and certification for this event will be carried out by KPMG.

A preliminary estimate of the Summit's emissions has already been carried out in order to develop a project budget. Assuming that between 45,000- 60,000 delegates attend the Summit, the emissions are expected to be in the region of 350,000 – 500,000 tonnes of CO<sub>2</sub>.

JCL needs \$3.5-\$5 million to be successful. 80% of the funds will go directly to carbon offset projects in South Africa. 20% will be invested in creating and managing the project, the assessment itself and into marketing i.e. building the project into an unmissable, appealing, program for companies and individuals.

This budget will be raised from 3 key sources :

- Corporate Funders
- Overseas Development Agencies, international NGOs, other governmental institutions and labor
- Individuals (both delegates to the Summit and other concerned citizens)

In addition to these corporate investors, individuals from around the world will be able to buy a single Climate Legacy Certificate priced at \$10 – for 1 tonne CO<sub>2</sub> offset and a 'pin badge' which commemorates the purchase and which they wear to encourage others to join in. Individuals will be able to buy online, through corporate partners (your staff) and at the Summit itself via retail outlets. Pin badges on their own will be available for \$2, with the majority of this going to the JCL fund. Pin badges and legacy certificates will be available to everyone around the world, including those people not actually attending the Summit, via the

www.climatelegacy.org website. After considerable deliberations by the Governing Body, the pre-Summit Carbon and related Greenhouse Gas Emissions Footprint has been determined, under the assumption that there will be 45,000 delegates. The following assumptions have also been made:

- Average hotel energy consumption per participant per day = 31.23 kWh
- Venues include the Sandton Convention Centre, Ubuntu Village, NASREC Expo Centre, Hilton Hotel, Nedcor and Waterdome
- International & Local Flights: Africa 10%, Asia 5%, Australia 10%, Europe 30%, Middle East 10%, North America 20%, South America 8%, and South Africa 7%
- 50 km average travel distance per delegate per day
- 2.04 kg waste generated per delegate per day
- 5,000,000 sheets of paper consumed during WSSD

#### Stakeholder Forum's Towards Earth Summit 2002 Project International Advisory Board

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# Diary Dates, Events & Conferences

26 Aug. - 4 Sept.	World Summit on Sustainable Development. Johannesburg, South Africa. Contact: <a href="http://www.johannesburgsummit.org">www.johannesburgsummit.org</a>
27 Aug. - 29 Aug.	WSSD Local Government Session - Local Action Moves the World. Johannesburg, South Africa. Contact: <a href="http://www.iclei.org/rioplusten/signup.html">www.iclei.org/rioplusten/signup.html</a>
28 Aug. - 3 Sept.	Water Dome - No Water, No Future. Johannesburg, South Africa. Contact: <a href="http://www.waterdome.net">www.waterdome.net</a>
30 Aug. - 4 Sept.	Your Wake Up Call. Johannesburg, South Africa. Contact: <a href="mailto:vccliffhodes@earthsummit2002.org">vccliffhodes@earthsummit2002.org</a>
20 Sept. - 25 Sept.	European Youth Conference 2002 - United Europe Towards Sustainability. Sofia, Bulgaria. Contact: <a href="http://www.yois-europe.org">www.yois-europe.org</a>
13 Oct. - 16 Oct.	Civil Society & the Democratisation of Global Governance. Montreal, Canada. Contact: <a href="http://www.fimcivilsociety.org/g02">www.fimcivilsociety.org/g02</a>
21 Oct. - 23 Oct.	Euro Environment 2002 Conference. Aalborg, Denmark. Contact: <a href="http://www.akkc.dk/index.asp?arrangement=327&amp;kategori=congress&amp;sprog=eng">www.akkc.dk/index.asp?arrangement=327&amp;kategori=congress&amp;sprog=eng</a>
21 Oct. - 25 Oct.	International Ecotourism Conference. Cairns, Australia. Contact: <a href="http://www.ecotourism-australia.info/conf2002/index.htm">www.ecotourism-australia.info/conf2002/index.htm</a>
23 Oct. - 1 Nov.	8th Conference of the Parties to the UNFCCC. New Delhi, India. Contact: <a href="http://unfccc.int/sessions/sessions.html">http://unfccc.int/sessions/sessions.html</a>
27 Oct. - 31 Oct.	14th World Congress of Environmental Journalists. Colombo, Sri Lanka. Contact: <a href="http://www15.brinkster.com/slej">www15.brinkster.com/slej</a>
29 Oct. - 1 Nov.	Global Mountain Summit. Bishtek, Kyrgyzstan. Contact: <a href="http://www.globalmountiansummit.org/Home_Page.html">www.globalmountiansummit.org/Home_Page.html</a>
7 Nov. - 8 Nov.	Triple Bottom Line Investing Conference 2002. Brussels, Belgium. Contact: <a href="http://www.tbli.org">www.tbli.org</a>

## What's in next months *Network - 2002*...

- The Johannesburg World Summit On Sustainable Development - Outcomes
- The Implementation Conference - Outcomes
- WSSD Local Government Session - Outcomes
- European Youth Conference 2002 - Preview
- Civil Society & the Democratisation of Global Governance - Preview

### Your Input is our Output.

Network 2002 is produced by the Stakeholder Forum, an international multistakeholder organisation working in preparation for Earth Summit 2002. We welcome your contribution to the process. Contact the editor at: [tmiddleton@earthsummit2002.org](mailto:tmiddleton@earthsummit2002.org)  
Network 2002 is also available online at: [www.earthsummit2002.org](http://www.earthsummit2002.org)



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