

REFORM PAPERS



Stakeholder Forum for a Sustainable Future Report REFLECTIONS ON WORLD SUMMIT 2005

Introduction

The 2005 World Summit, held on 14-16 September at United Nations Headquarters in New York, brought together 175 Heads of State and Government. The main purpose of the meeting was originally to be the five year review of progress towards the delivering of the Millennium Development Goals. However, in preparing for the Summit, the UN Security-General Kofi Annan clearly saw an opportunity to address an even and more ambitious larger agenda. In March 2005, Annan outlined a set of proposals in his report *In Larger Freedom*¹ which came to form the basis of the agenda for the 2005 World Summit. Classified under the four following headings, the Summit agenda also came to include UN system reform, the Human Rights Council, and the changing nature of the security agenda:

1. Freedom from want
2. Freedom from fear
3. Freedom to live in dignity
4. Strengthening the United Nations

President Ping of the UN General Assembly, was tasked with consulting governments and stakeholders in developing a draft text to form the starting point for negotiations at the World Summit. This was done between March and September of 2005, resulting in an agreed draft text just before Heads of State arrived in New York.

Sustainable Development and the Outcomes of the World Summit

During the negotiating process of the Summit, the ambitious draft text was whittled away until few substantive commitments were left:

On Sustainable Development: The Summit document did little to advance commitments beyond the Johannesburg Plan of Implementation and Multilateral Environmental Agreements. It did, however, underscore the need to address the outcomes from the World Conference on Disaster Reduction, which should help strengthen government commitments to establish an adequate disaster relief early warning system.

On Reform of International Environmental Governance: The Summit's agreement "to explore the possibility of a more coherent institutional framework, including a more integrated structure, building on existing institutions, and internationally agreed instruments, as well as the treaty bodies and the specialized agencies," is a positive development, as a more coherent architecture will result in positive outcomes for the implementation of sustainable development.

¹ www.un.org/largerfreedom

On World Summit Processes: The World Summit processes did not allow for sufficient engagement of stakeholders in the decision-making process. Measures must be taken to improve upon such processes in future summits to facilitate stronger sustainable development outcomes.

The World Summit and Sustainable Development

Paragraphs 48-56 of the World Summit Outcome Document address issues of sustainable development, including issues related to climate change, chemicals and hazardous waste, oceans and seas, forests, and biodiversity. In most cases, the language of the text reflects that of the Johannesburg Plan of Implementation, thus providing very few new international commitments and actions towards the implementation of sustainable development. In fact, the first 8 of 9 paragraphs on sustainable development reaffirm previous international commitments.

As such, the Summit was a missed opportunity to develop new and bold commitments for environmental protection. On fisheries (a critical sustainable development issue- The FAO State of the Worlds Fisheries 2005 Report estimated that 52% of stocks are fully exploited), the text merely commits to “improve cooperation and coordination at all levels in order to address issues related to oceans and seas in an integrated manner and promote integrated management and sustainable development of the oceans and seas.”

On forests (it is estimated that the equivalent of two football pitches of rain forest are lost every second), leaders merely deferred to the 6th Session of the UN Forum on Forests amid a rather cryptic text: “strengthen the conservation, sustainable management and development of all types of forests for the benefit of current and future generations, including through enhanced international cooperation, so that trees and forests contribute fully to the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration, taking full account of the linkages between the forest sector and other sectors.”

On chemicals, the text omitted commitment to the precautionary approach, as agreed in the JPOI. In fact, the precautionary approach was notably absent from the entire text of the World Summit. Finally, the text on the transportation of radioactive waste seems to include contradicting statements, affirming that the “cessation of transport of radioactive materials through Small Island Developing States (SIDS) regions is an ultimate desired goal of SIDS and some other countries” while recognising “the right of freedom of navigation in accordance with international law,” allowing for business as usual approaches.

Despite this series of missed opportunities to address critical sustainable development issues, the text did result in a few small, yet positive, steps. This is significant given that during the even towards the final days of the Summit, the entire environmental section of the text was in jeopardy. On climate change, European governments and environmental NGOs were pleased to get what they saw as strong language on climate change into the text, which recognised that climate change “is a serious and long-term challenge that has the potential to affect every part of the globe.” The text emphasized the need to meet “all the commitments and obligations undertaken in the United Nations Framework Convention on Climate Change and other relevant international agreements, including, for many of us, the Kyoto Protocol. The Convention is the appropriate framework for addressing future action on climate change at the global level.” Where the text indicates support for Kyoto, the US inserted “for many of us” so as not to commit them. Nonetheless, the text is perhaps the strongest text agreed to by the US under the present administration on Climate Change.

The text on energy provides a good foundation for the upcoming cycle of the Commission on Sustainable Development, which will include a focus on access to energy for sustainable development. The text commits to accelerate the “development and dissemination of affordable and cleaner energy efficiency and energy conservation technologies, as well as the transfer of such technologies, in particular to developing countries, on favorable terms, including on concessionary and preferential terms, as mutually agreed, bearing in mind that access to energy facilitates the eradication of poverty.”

Finally, the outcome document also served to underscore the need to address the outcomes from the World Conference on Disaster Reduction. This is significant as it endorses at the level of Heads of state outcomes generated at the Ministerial level. This should help strengthen government commitments to establish an adequate disaster relief early warning system and secure additional resources to address disaster prevention.

UN Reform and International Environmental Governance

Annan's *In Larger Freedom* not only brought the issue of UN Reform to the agenda of the World Summit, but also highlighted the issue of reform of international environmental governance. In this document he states:

It is now high time to consider a more integrated structure for environmental standard-setting, scientific discussion and monitoring treaty compliance. This should be built on existing institutions, such as the United Nations Environment Programme, as well as the treaty bodies and specialized agencies. Meanwhile, environmental activities at the country level should benefit from improved synergies, on both normative and operational aspects, between United Nations agencies, making optimal use of their comparative advantages, so that we have an integrated approach to sustainable development, in which both halves of that term are given their due weight.

The General Assembly President's first draft of the Summit text enhanced the statement prepared by the Secretary-General and his High-Level Panel. This version contained three general statements without providing any specifications as to implementation, action, or commitment:

International environment governance

- Strengthening environmental standard setting, scientific discussion and monitoring and treaty compliance by building on existing institutions, as well as the treaty bodies and specialized agencies;
- Integrating environmental activities at the operational level in the broader sustainable development framework;
- Recognizing the need for a more coherent institutional framework of international environmental governance, with better coordination and monitoring, and considering the possibility of a more integrated structure as proposed by the Secretary-General, in particular for environmental standard-setting, scientific discussion and monitoring, that is built on existing institutions.

Though the final text did reflect an overhaul of this original text, it was nonetheless substantial enough to inject further momentum to the process of seeking reform of international environmental governance. The final text read:

Environmental activities

Recognizing the need for more efficient environmental activities in the UN system, with enhanced coordination, improved policy advice and guidance, strengthened scientific knowledge, assessment and cooperation, better treaty compliance, while respecting the legal autonomy of the treaties, as well as better integration of environmental activities in the broader sustainable development framework at the operational level, including through capacity-building, we agree to explore the possibility of a more coherent institutional framework to address this need, including a more integrated structure, building on existing institutions, and internationally agreed instruments, as well as the treaty bodies and the specialized agencies.

This agreed text is significant because it provides the foundation for the launching of a process under the UN General Assembly to begin in the first half of 2006. Reform of international environmental governance is extremely important for the implementation of sustainable development. The current system is fragmented and complex, with a multitude of agencies, structures, and bodies mandated to work in the field of sustainable development. Surprisingly, however, the issue of architecture reform was absent from the Summit agendas of a majority of environmental organizations and few were aware of this decision even in the aftermath of the Summit.

One of the most disappointing aspects of the 2005 World Summit process was the absence of channels for meaningful stakeholder participation. The decision to conduct the summit as a closed high-level session diverged significantly from the trend towards engagement that emerged during the UN Conferences and Summits of the 1990s and the more recent World Summit on Sustainable Development. The case for engaging stakeholders in decision-making processes was bolstered by the establishment of the Secretary General's Panel of Eminent Persons on Civil Society and UN Relationships, which published its report *We the Peoples: Civil Society, the United Nations and Global Governance* in 2004. The report, commonly known as the Cardoso Report, made a significant number of recommendations on the involvement of stakeholders within all UN processes. In relation to UN Conferences, Summits and General Assembly Special Sessions the report proposed:

- That the UN should retain the global conference mechanism, but use it sparingly to address major emerging policy issues that need concerted global action, enhanced public understanding and resonance with global public opinion...
- That the Secretariat should foster multi-constituency processes as new conduits for discussion of United Nations priorities, redirecting resources now used for single-constituency forums covering multiple issues...
- The General Assembly should permit the carefully planned participation of actors besides central Governments in its processes.

In response to the Cardoso Report, the Secretary-General stated "I share the view expressed by the Panel that the Organization would benefit from extending and standardizing [its] practices [of involving NGOs in their deliberations], so that they become a regular component of the General Assembly's work."²

In light of this increased recognition of the importance of engaging stakeholders in decision-making processes, the non-governmental world was shocked by the decision of the Secretary-General that "for security reasons and space limitations within the United Nations building, broader participation of civil society would unfortunately not possible [at the 2005 World Summit]."³ Rather, civil society organisations would be invited to participate in an interactive hearing with the General Assembly prior to the Summit. This process ignored completely both the spirit and recommendations of the Cardoso Report. A number of other NGOs signed a letter to the Secretary General which said:

We are extremely worried that in your recent report on "modalities, format and organization of the high-level plenary meeting of the 60th session of the General Assembly" the opportunities for civil society participation (paragraphs 20 to 22) are restricted to one intervention at the General Assembly and a consultation meeting months before that. The preparatory process for the Summit is being described as "open, inclusive and transparent", (paragraph 23). We do not feel that openness and transparency can be achieved through a process that largely excludes citizen organizations.

Within the constraints imposed by security considerations and space limitations, different modalities for civil society participation can be established for the preparatory process and the Summit itself."⁴

Despite continued pressure from civil society organisations such as Stakeholder Forum⁵, no decision was made to further open the Summit processes to civil society. Rather, the NGO hearings were held 23-24 June 2005. In relation to the Summit process, the hearings were held after the release of the first draft of the Summit text and before the second draft. A number of the issues raised by stakeholders did find themselves into the second draft. In particular the environment section was broadened and there was a better recognition of gender issues. However,

² September 2004, Report of the Secretary-General in response to the report of the Panel of Eminent Persons on United Nations-Civil Society Relations

³ November 2004, "Report of the Secretary-General on the modalities, format and organization of the high-level plenary meeting of the 60th session of the General Assembly"

⁴ <http://www.un-ngls.org/MDG/UNSG.doc>

the timing of the NGO hearings decreased the impact and resonance of the NGO Hearings throughout the Summit process. The submission by American John Bolton of 750 amendments to the Summit text on 25 August marked the true beginning of the game of political negotiations at the Summit. By this point, however, civil society had no formal channels of influence or opportunities to have their voice heard.

In response, a small number of stakeholders took up residence in New York in the basement. Representing environmental interests were WWF and IUCN. Because civil society engagement was limited to the NGO Hearings and informal channels, NGOs had limited opportunities to influence the outcomes of the Summit. This may have contributed to what many see as a disappointing outcome of the summit.

Conclusions: The World Summit and Sustainable Development

The Summit delivered little in the way of new and bold commitments on sustainable development. The text largely reaffirmed commitments agreed to at the World Summit on Sustainable Development, perhaps indicating that the current multilateral climate is not conducive to developing normative outcomes on sustainable development. How this will affect the promotion of sustainable development in upcoming negotiations such as the WTO Ministerial Conference and the Montreal COP of the UNFCCC remains to be seen. The Summit also marked a significant hiccup in its relations with stakeholders and Major Groups.

The World Summit did, however, yield some positive outcomes, including the establishment of a UN Peace building Commission and a revamped institution for Human Rights the proposed Human Rights Council. The commitment to explore options for international environmental governance also holds great potential for improving the implementation of sustainable development. However, significant obstacles- namely in the form of Brazil, China and the United States- must be negotiated before such potential is realised.

In light of this mixed bag of World Summit outcomes, the legacy of the Summit will likely be determined by the ability of the leaders at the United Nations to ensure the summit's positive outcomes are capitalised upon. As for progress on the Millennium Development Goals, the Summit failed to mobilise the money, policies, and political will considered necessary to meet the Goals. Perhaps the bloated agenda of this Summit made it easier for leaders to forget the real reason they had come to New York.

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Stakeholder Forum World Summit Activities

Stakeholder Engagement

Stakeholder Forum was one of the leaders in trying to persuade governments to take more seriously the involvement of stakeholders in World Summit processes. It acted to raise awareness among stakeholders about the lack of engagement. It also lobbied major governments, with the support of a broad range of stakeholders, about the need to engage stakeholders in the Summit process. In doing so, Stakeholder Forum represented numerous stakeholder groups who were consulted about their positions on the Summit processes.

In preparation for the June NGO Hearings, Stakeholder Forum hosted a UK consultation with numerous stakeholders to discuss MDG7 and develop stakeholder messages to input into the World Summit. This consultation formed the content of Felix Dodds'⁶ presentation to the NGO hearings (see annex 2). Dodds was the only UK speaker on environment to be represented at the Hearings and one of only five through the three hour session who highlighted the environment.

Outreach and Network

During the course of the summit, Stakeholder Forum published a daily newsletter, *Outreach*, which detailed policy options for decision makers as well as the positions of various stakeholders. The results of the UK consultation were also documented in a special issue of *Outreach*, with 500 copies circulated at the Summit. This publication was made possible thanks to funding from Arthur Ross and Open Democracy. *Outreach* was the ONLY NGO daily newsletter at the Summit.

Promoting Sustainable Development Issues on the International Agenda

Stakeholder Forum held two conferences on issues relating to the World Summit in the year before the Summit. It also held side events at the UN Commission on Sustainable Development highlighting the key issues for the Summit., including an event on linking CSD-13 to the MDGs.

⁶ Executive Director, Stakeholder Forum

Presentation by Felix Dodds to the UN GA Hearings, 21 July 2005

Mr President, thank you for the opportunity to address this UN General Assembly hearing with civil society.

Stakeholder Forum yesterday held a conference of UK stakeholders focusing on MDG7 and 8. I wanted to share a few of the outcomes with this hearing. A full list of amendments to the Presidents text is available in this room.

UK stakeholders called for the Summit to commit to negotiating a legally binding international framework on corporate accountability. Stakeholder Forum would also like to associate ourselves with the European Unions call for a United Nations Environmental Organization.

The present text does not adequately address human settlements, water and sanitation.

In the area of human settlements any development strategy needs to address human settlements as over half the world now lives in cities.

In the area of water we would like to see support for IWRM. We also call for a doubling of aid to water and sanitation by 2010.

On Biodiversity we would associate ourselves with the suggested amendments made by IUCN.

We would also like to see Global Leaders to recommit to the Rio Declaration. In particular the precautionary principle should be applied to safeguard against harmful side effects from the use of new technologies such as GMOs.

Echoing the comments made by Torlief Johannson, all future Summits and Conferences should fully integrate stakeholders. It is worth remembering that the 1997 UN General Assembly Special Session on Rio had ten stakeholders presenting in the Heads of State session and stakeholders were fully integrated into all of the preparatory processes.

Finally we would associate ourselves with the Copenhagen NGO Conference call for a World Summit on Human and Environmental Security in 2010.

Thank you