

## **Report of the Thirteenth Session of the UN Commission on Sustainable Development**

The thirteenth Session of the UN Commission on Sustainable Development (CSD-13) was held from 11 to 22 April 2005 at UN Headquarters in New York. The Session, referred to as the "Policy Session," marked the conclusion of the first multi-year programme of work (or implementation cycle) adopted as part of the post-WSSD reforms in 2003. In accordance with decisions made at CSD-11, the thematic areas for CSD-12 and 13 were water, sanitation and human settlements. The session's mandate was to make practical policy decisions to expedite implementation in the selected thematic cluster of issues, taking into account the discussions of the intergovernmental preparatory meeting, the Secretary-General's reports, and other relevant inputs. The session, attended by more than 2 000 participants including some 100 ministers, resulted in three outputs, namely: a negotiated text identifying actions and practical measures to expedite implementation; a non-negotiated report from the meeting, including the Matrix and regional perspective sessions; and voluntary commitments to expedite implementation of Agenda 21 and the Johannesburg Plan of Implementation (JPOI). The Commission decided to submit its decision to the Economic and Social Council as a significant contribution to the review of the Millennium Summit at the high-level plenary meeting of the 60th session of the General Assembly in September.

This report provides an overview of the CSD-13 outcomes, with a particular focus on the institutional and procedural arrangements for the follow-up, and monitoring of actions in the areas of water, sanitation and human settlements.

### **CSD-13 OUTCOMES**

#### **Negotiated Outcome**

During the first week of CSD-13 officials worked towards arriving at a reasonable negotiated text, based on a Chair's text provided by John Ashe. However, the Chair's text was not useful in quality, a view agreed on by all negotiating blocks (DST, 2005). By the end of the closing session on Friday 22 April there was still no agreement on a text, and negotiations continued until midnight where a compromise was finally reached on the controversial section dealing with foreign occupation, as well as on the CSD follow-up process. For some, the introduction into the decision text of the issue of illegal settlements and foreign occupation accentuated the political dimensions of the CSD's work (DESA, 2005). A number of other areas of disagreement also arose during the negotiations, including disputes over text on financing and ODA, the ecosystem approach, rights-based approaches, international versus domestic governance, and the role of various stakeholders. The fact that the negotiations on the decision went beyond the envisaged number of days, reflected both the complexity of the issues and the diversity of views on how best to meet the water, sanitation and human settlements challenge (DESA, 2005). The Commission final adopted its outcomes and adjourned the session, with the election of the CSD-14 Bureau, at 1am on Saturday morning.

The negotiated decision sets forth approximately 30 policy options and some 100 practical measures and actions on the thematic areas of water, sanitation and human settlements. To emphasise the actionable and deliverable features of its decision, the Commission adopted an unconventional format by placing all practical measures inside boxes, thereby helping to keep the text concise and compact (DESA, 2005). Views on the outcomes of the Session are mixed. On one hand, there are delegations that welcomed the decision as a balanced, action-oriented decision that will help guide further implementation efforts in the years to come (DESA, 2005).

The overall sentiment among participants suggested that, viewed as a continuum, CSD-12 and CSD-13 successfully delivered what was envisaged at CSD-11—identifying obstacles and constraints, and deciding on practical measures to address them, thereby advancing implementation (DESA, 2005).

On the other hand, the general sentiment among the developing countries was that there were no substantial commitments from the developed nations (DST, 2005). In their final statement to CSD-13, the Group of 77 and China expressed frustration about the direction in which the Commission was heading. Among the issues frustrating the Group included that the Session “failed to achieve any of the proposals or aspirations of the developing countries; revealed to us that our partners are refusing to reaffirm previously agreed commitments, particularly as they relate to financial resources; and witnessed attempts to turn the CSD into an environmental commission, with the reinterpretation and renegotiation of previously agreed language, including through a continued insistence on having a Chair’s Summary that contradicts CSD-11 decisions.” The World Conservation Union (IUCN) said that CSD-13 “failed to make significant progress on the targets and policy options for water and sanitation as agreed at the WSSD,” and that a “business as usual” attitude prevails in the CSD negotiations. The NGO Major Group Statement concluded that the Session “delivered less than it promised, far less than was needed. It has not taken seriously the situation of the world’s poorest people. It has failed to develop a sense of urgency. Political commitments remain words on paper rather than solid prospects of taps, toilets and homes.” Some Business Groups remarked that “the outcomes and experience of CSD-13 were ambiguous from a business perspective” (BAW, 2005).

Despite the variance in views on the value of the Session, many would agree that the multi-year programme of work generated much needed international attention on the issues of water, sanitation and human settlements, as well as the interlinkages between the themes. The Commission recognises that Governments have the primary role in promoting improved access to safe drinking water, basic sanitation and adequate shelter through improved governance at all levels, and should appropriate enabling environments and regulatory frameworks, with the active involvement of all stakeholders. At the same time, the Commission emphasised that efforts to achieve the agreed goals and targets on water, sanitation and human settlements should be supported by the international community through a conducive international policy environment, including good global governance; a universal, rule-based, open, non-discriminatory and equitable multilateral trading system; mobilisation and transfer of financial resources; debt relief, including debt cancellation; where appropriate, public-public and public-private partnerships; technical cooperation and capacity-building; and technology transfers.

Specific policy actions identified by the Commission included:

**Water:** The decision contains two policy options for access to basic water services and four policy options for integrated water resources management. In order to accelerate progress in providing access to safe drinking water, the Commission called for: instituting economic incentives to encourage the participation of small-scale water service providers; implementing affordable water tariffs to contribute to the financial sustainability of water services; and targeting subsidies for the poor, including connection costs. The decisions also set out specific actions for better water management, including more efficient irrigation, and for training farmers and water users associations in efficient water use (DESA, 2005).

**Sanitation:** The Commission stressed the need for establishing an institutional home for the issue and giving it priority in national development plans and budgets. In its decisions, the Commission further emphasised measures to target investment to areas of greatest need and greatest impact,

such as schools, work places and health centres and to assess the health impact of the lack of sanitation at the community level. Also highlighted was the need for financial and technical assistance to national and local authorities in deploying effective and environmentally sound sewerage systems and for the treatment and re-use of wastewater (DESA, 2005).

**Human Settlements:** The Commission called on Governments, with assistance from the international community, to design pro-poor policies with a focus on tenure security and access to affordable, serviced land in order to improve the access of the poor, in particular slum dwellers, to decent and affordable housing and basic services. The decisions of the Commission also outlined actions aimed at giving particular attention to the equal rights of women to own and inherit land and other property and to gain access to credit markets. Also emphasised were practical measures designed to incorporate employment and enterprise development policies into national planning, slum prevention, upgrading programmes, and to provide education and vocational training to women and youth with a view to improving their access to decent jobs. Governments were also encouraged to promote public-public and public-private partnerships for financing and developing infrastructure and affordable housing (DESA, 2005).

**Interlinkages and Cross-cutting Issues:** In order to maximise the impact of those measures and actions in all three areas and to increase their synergy, the Commission adopted measures to address the interlinkages among water, sanitation and human settlements and to improve national coordination. The decisions also contain an innovative voluntary monitoring mechanism by which the Commission requested the Secretariat to update, on a regular basis, policy options and practical measures and to develop web-based tools to disseminate information on implementation and best practice (DESA, 2005).

### **The Matrix**

A new innovative feature designed to assist decision-making and implementation was the Secretariat's 'User-friendly matrix of the Chair's IPM Summary' circulated prior to the Policy Session. The Matrix contains information on practical measures, examples, and implementation actors. The matrix was positively received by the US, EU and Australia, whereas Jamaica on behalf of G77/China complained that it did not properly address the key constraint—limited financial resources—to the achievement of targets in the three sectors. For the EU, cross-cutting issues and the interlinkages among the three issues was the key to ensuring sustainability. In the end the matrix was not made part of the negotiated document (WEDO, 2005), however, the Commission agreed that the Secretariat should update the policy options and practical measures contained in the Chairman's Summary of the interactive discussions held at the IPM, on a regular basis, so as to make it a living document, and to develop web-based tools to disseminate information on implementation and best practices.

### **Voluntary Commitments**

During the IPM, Chairman John Ashe announced that he would "invite all implementation actors to announce any voluntary commitments to mobilise further international or regional action aimed at expediting implementation of Agenda 21 and the JPOI." Making sure to imply that such commitments were non-negotiable, he said that commitments, whether raised during the officials' level segment of the session or during the High-Level Segment, would be compiled and posted on the CSD Secretariat's website and will form the basis of a "living" document that identifies continued efforts to implement the three thematic areas beyond CSD-13. Voluntary commitments were only announced by a limited number of countries, including Canada, Indonesia, the Netherlands, Norway, the EU and also UN-Habitat.

## **Water**

### **Access to basic water services**

- Sustain and accelerate progress towards the water access goal, supported by increased resources from all sources, including official development assistance, in response to countries' needs;
- Develop and strengthen human and institutional capacities for effective water management and service delivery

### **Integrated water resources management**

- Accelerate the provision of technical and financial assistance to countries in preparing nationally-owned integrated water resources management and water-efficiency plans tailored to country-specific needs, paying particular attention to economic development, social and environmental needs, supporting implementation through learning-by-doing;
- Support African initiatives in the area of water, within the framework of the African Ministerial Conference on Water, with particular reference to basin-wide initiatives in Africa;
- Enhance cooperation among riparian States through relevant arrangements and/or mechanisms with the consent of the States concerned, taking into account the interests of the riparian States;
- Develop and strengthen national monitoring systems on the quantity, quality and use of surface and groundwater resources at national and local levels, and for measuring progress towards internationally agreed goals and targets, as appropriate, as well as for assessing the impact of climate variability and change on water resources;

### **Sanitation**

- Provide adequate sanitation, recognising the interlinkages among water, sanitation, hygiene and health, including water-borne disease vectors, as well as the positive impacts of access to sanitation on poverty reduction, privacy, dignity, security and education;

### **Access to basic sanitation**

- Sustain and accelerate progress towards the sanitation target of the Johannesburg Plan of Implementation, supported by increased resources from all sources, including official development assistance, in response to countries' needs;
- Ensure effective capacity for building, operating and maintaining sanitation and sewage systems;
- Ensure access to culturally appropriate, low-cost and environmentally sound sanitation technologies;

### **Sanitation and hygiene education**

- Support countries in promoting sanitation and hygiene education and awareness-raising;

### **Wastewater collection, treatment and re-use**

- Expand and improve wastewater treatment and re-use;
- Support regional and subregional arrangements, to protect water resources from pollution, addressing the specific needs of arid, semi-arid and coastal countries;

### **Human settlements**

- Provide an enabling policy and regulatory environment and mobilise the requisite means of implementation, including through regional cooperation and international support, including increased financial resources to promote sustainable human settlements development in both urban and rural areas, in accordance with national priorities;

### **Integrated planning and management**

- Support integrated planning and management of human settlements, incorporating land use, housing, water supply and sanitation, waste management, energy, employment and income-generation, education and health-care services, transportation and other infrastructure, and

giving due consideration to urbanisation trends, in particular, to the needs of the urban poor in implementing the Millennium Declaration, with a view to preventing new slum formation;

**Access to affordable land, housing and basic services**

- Assist in providing access for the poor, in urban and rural areas, to decent and affordable housing and basic services, in accordance with the Habitat Agenda;

**Employment and enterprise promotion**

- Support national measures encouraging private sector investment, entrepreneurship and job-creation;

**Interlinkages and cross-cutting issues**

- Address water, sanitation and human settlements in an integrated manner, taking into account economic, social and environmental aspects, related sectoral policies and cross-cutting issues as identified at the eleventh session of the Commission, as well as national, subregional and regional specificities, circumstances and legal frameworks, with particular attention given to the requirements of women, youth and workers, through a range of measures and approaches;
- Devise water, sanitation and human settlements policies and actions taking account of the need to address the impacts of rapid urbanisation, desertification, climate change and climate variability and natural disasters;
- Support countries, partly through the United Nations Human Settlements Programme (UN-Habitat), in their ability to provide data and information on existing slums with a projection on new slum formation by 2020, and thereafter to adopt and implement plans to achieve or prevent these targets, as linked to poverty reduction strategies, national sustainable development strategies or other relevant policy plans;
- Resolve to take further, effective measures to remove obstacles to the full realisation of the rights of people living under colonial and foreign occupation, which are incompatible with the dignity and worth of human persons and must be combated and eliminated;
- Mobilise adequate resources to meet the water, sanitation and human settlements goals and targets, tapping both domestic and international sources through a range of financing approaches.

## **FOLLOWING-UP AND REVIEWING THE CSD-13 THEMATIC ISSUES**

A crucial issue to emerge during the negotiations was how the Commission would follow-up and monitor progress in the implementation of the policy decisions, particularly the issues of water and sanitation. The CSD-11 was rather vague on the precise modalities of how the previous session themes would be addressed in the future work programme. Historically, the CSD has suffered from the lack of an adequate mechanism to follow-up on and monitor its own commitments, as well as other internationally agreed goals and targets related to sustainable development. Initially spearheaded by the EU, but generally supported by all delegations, discussions on the issues focused on how to structure both the intergovernmental and UN-system wide follow-up. The CSD-13 decision, without re-opening or prejudicing the outcome of CSD-11, significantly advanced the CSD-11 decision on how to deal with the follow-up to issues related to SIDS and reviewing and monitoring the implementation of the first cycle.

### **Water and Sanitation**

Given no clear institutional homes for these issues within the UN system, many delegations wanted a mechanism to ensure adequate attention for water and sanitation after the cycle. During the Intergovernmental Preparatory Meeting (Feb-March 2005), a number of informal proposals were tabled on how the Commission could ensure a continued focus for these issues. The EU

suggested roles for UN-Water, the UNICEF/WHO joint monitoring program, the International Decade for Water and Sanitation, and the UN World Water Assessment Programme. They also suggested that international fora such as the World Water Forum (Mexico in 2006) and World Urban Forum (Canada 2006) should be taken into account as a follow-up mechanism of the CSD-13. Switzerland proposed the need for a global water process to support the implementation of international water governance. France's paper outlined a comprehensive observation mechanism for water and sanitation. Canada's paper presented several options, including: the establishment of a UN intergovernmental panel under the CSD; a revised and strengthened UN-Water; an International Strategy for Water; strengthening existing institutions; and intergovernmental input on freshwater issues in ECOSOC and UN General Assembly sessions (*ENB*, 2005).

However, despite the numerous options, most delegations were cautious about establishing any new institutional arrangements or adding new layers of bureaucracy to the UN system, and by the Policy Session the debate had shifted to the CSD's role in reviewing and monitoring the follow-up to CSD-13. Similarly, there were concerns of re-opening the CSD-11 decision. At the conclusion of the Session, the commission agreed to devote a special segment at the conclusions of its review session in 2008 and 2012 to monitor and follow up the implementation of decisions on water and sanitation and their interlinkages, taken at the Commission's thirteenth session. However, the decision is equally vague on this process, how it will be structured, what types of inputs will be solicited, from whom and by when. Similarly, there is no guidance on the outcomes of the 2008 and 2012 reviews.

### **Human Settlements**

For the issue of human settlements and the role of UN-Habitat in the CSD process, this was a significant milestone. Agenda 21 designated UN-Habitat as the focal point in the implementation of Chapter 7 on Sustainable Human Settlements, as well as a lead role player promoting environmentally sound waste disposal and treatment, with regard to standards and monitoring and supporting partnerships with local authorities. The link between CSD and UN-Habitat can therefore not be overstated. However, the problem in the past was the marginalisation of UN-Habitat in the CSD process, despite its clear mandate, mainly because of its non-programme status, but also as a result of a non-assertive management style that had prevailed in the organisation while it was a centre (UN-Habitat, 2005). In an address to the General Assembly (November 2005), Anna Tibaijuka, Executive Director of UN-Habitat remarked, "The Commission embraced the core message of the Governing Council to integrate water and sanitation into a broad-based framework on human settlements. It acknowledged the significance of the urban dimension of poverty reduction, recognising the need for a multi-sector, multi-actor, integrated approach to human settlements development. Further, the Commission advanced understanding on the strategic links between sustainable human settlements and sources of energy. I am also pleased and grateful to point out CSD-13 paved the way for the World Summit to emphasise the importance of slum prevention, as we upgrade existing slums."

Given the role of UN-Habitat as the lead agency for the follow-up and monitoring of the Habitat agenda, the issue of reviewing the human settlement-related outcomes was less controversial. In fact the Commission merely responded to the request of the 20th session of the Governing Council of UN-Habitat (April 2005), which recommended that UN-Habitat be appointed the focal point for following-up and monitoring the CSD-13 outcomes on human settlements. Following a recommendation from the Governing Council to UN-Habitat, the CSD requests UN-Habitat as the focal agency for human settlements, to facilitate, in close collaboration with relevant United Nations organisations and programmes as well as other partners, effective global monitoring of

progress in the implementation of human settlements goals and targets, as well as measures agreed at the thirteenth session of the Commission concerning human settlements;

### **Small Island Developing States**

Agenda 21 contained a special section (chapter 17, section G) devoted to the sustainable development of small island developing States (SIDS), in which the international community recognised that SIDS States and islands supporting small communities are special cases both for environment and development. The UN Millennium Declaration (2000) contains a specific reference to the special problems of SIDS, the International Conference on Financing for Development (2002) mentioned the special needs of SIDS no less than five times in the “Monterrey Consensus,” and the Johannesburg Plan of Implementation, which resulted from the World Summit on Sustainable Development (2002), devoted one of its 11 chapters to the sustainable development of SIDS. At CSD-11, the Commission agreed that SIDS-related issues were to be considered cross-cutting issues at each session of the Commission and included in the thematic cluster for the Commission in 2014-2015. Following the conclusion of the Mauritius International Meeting in January 2005—of which the CSD acted as a preparatory process—members of the Alliance for Small Island States lobbied for the Commission to allocate more time for the discussion and agreement on measures to expedite implementation in small islands. The Commission agreed to devote one day of the review sessions of the Commission to the review of the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for SIDS. The review session would focus on that year’s thematic cluster, as well as on any new developments regarding the sustainable development efforts of SIDS using existing modalities. In this regard, the Secretary-General was also requested to submit a report to the Commission at its review session concerning progress and obstacles in respect of sustainable development in SIDS and making recommendations on enhancing its implementation.

### **CONCLUSION**

The first implementation cycle (2004-2005) took small steps in operationalising this new guidance and all CSD participants recognised that the cycle had the ‘special responsibility’ of providing a good example for future cycles. One of the pressures on the meeting had been that the process and outcome would set precedence for future CSD sessions. The EU remarked that the Policy Session was ‘a major challenge for all of us, both concerning procedures and substance’ (EU, 2005). Even though some participants expressed a sense of frustration and concern that the outcome may amount to very little progress in future, the Commission concluded a challenging two-year process with a ‘renewed call’ for improved access to safe drinking water and sanitation, better water management, investment in sanitation at the local level, tenure security, and access to affordable serviced land and housing. Whether this is enough to meet the international development goals or satisfy the diverse number of views and priorities that bring and sustain participation in the Commission is an open question, left to all stakeholders to ensure that the generated momentum is sufficiently harnessed and used.

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