CSD goes back to 1996

By Felix Dodds

One of the sad things is that I have been to too many CSDs – everyone! One of the good aspects is the institutional memory that it gives me of the involvement of stakeholders in the CSD process. This CSD will be marked by a backtracking as far as global governance and democracy is concerned in relation to the involvement of stakeholders in the workings of this Commission. Before I go into that let me share the general practice that we have had in the CSD over past years and this has always depended on the chair and the bureau.

We have had interactive involvement of stakeholders in inter-sessional sessions, the CSD, the formal and in-formals and the Ministerial sessions. In the forest discussions in 1997 NGOs were asked in the in-formals to present the case for and against the idea of a convention. In other processes such as Habitat in-formals and formals stakeholders were allowed to enter text into the negotiations and if a governments backed them the text became an alive text.

So at this year’s CSD, involvement of stakeholders in the main sessions is nothing new and should not be presented as such. The bigger problem of this year CSD is the loss of stakeholder engagement through multistakeholder dialogues with governments. The idea originally put to the UN through the General Assembly in November 1996 by NGOs and then developed after the Rio+5 Summit by likes of Joke Waller Hunter (Director DCSD), Lucien Royer (ICFTU), Paul Clement Hunt (ICC) and Felix Dodds (Stakeholder Forum). The approach was based on how to enrich democracy through creating a space where stakeholders can share and debate their views, aimed at developing and enhancing areas of agreement and developing approaches to looking at areas of disagreements (e.g. ongoing MSP processes such as the review of voluntary initiatives CSD98).

An approach was developed that first had stakeholders agree four different areas that needed to be addressed in the subject matter which the CSD was discussing and which stakeholders could contribute substantively to. Background papers were developed by each stakeholder group to an agreed format. These papers required each stakeholder group to outreach to its members to agree a position within the group therefore creating internal peer group review process. The papers would then undergo a comparative analysis and through that review the areas of agreement and see what conversations could be engaged within the four dialogues to address those differences and help governments to understand stakeholder views better.

The positioning of the Dialogues in the first two days of the CSD enabled them to also take into account the outcomes from the CSD Preparatory meeting. So when the governments were hearing the views and expertise of stakeholders it was hoped they would then make better informed decisions when they negotiated later in the CSD.

Last year the stakeholders complained about the way the outcomes from the Dialogues were being used. Only once in the CSD cycle has the outcomes from the Dialogues been used in the negotiations. Under Simon Upton the Chair text was introduced from the New Zealand chair and then governments had to take account of the text in their negotiations. Stakeholders have asked for the outcomes of the Dialogues to be used by governments in a similar way to the outcomes from the CSD Preparatory meeting as a normal activity of the process.

Stakeholder Forum were in 2001 expressing their doubts about the approach being taken by DCSD and governments on the Dialogues and did a consultation with many stakeholders held a workshop in April 2001 which stakeholders and governments attended which drew up some guidance on how to approach multi-stakeholder process in preparation for the workshop we had interviewed many people involved in over twenty MSPs this all resulted in the publication of the Stakeholder Forum book Multistakeholder Processes on Governance and Sustainability (earthscan). We used the new model for the Bonn Freshwater 2001 Conference which took multi-stakeholder dialogues to a new level.

But this year’s CSD will be marked as a regression as far as building on the work done before and the question is can we get the show back on road or is this the end of the road for our enhanced democracy here at the CSD?
The Deep Sea Conservation Coalition Sets its Sights on a Bottom Trawling Moratorium in International Waters at UNGA 60

By Remy Parmentier

Protecting the biodiversity of the deep seas is at the cutting edge of discussions on the future of the oceans and the management of human activities there. Despite the virtual checkboard of adjacent and overlapping management regimes (EEZs, fishing zones, regional fisheries management organisations, etc.), vast areas of the high seas are unregulated when it comes to bottom trawl fishing. Bottom trawling is widely recognised as the most destructive fishing method.

The Deep Sea Conservation Coalition (DSCC, www.savethehighseas.org) consists of more than 40 environmental, conservation and fishing organisations worldwide, working towards a United Nations General Assembly (UNGA) moratorium on bottom trawl fishing on the high seas. The coalition was formed in response to the serious and increasing threat posed by high seas bottom trawlers on seamounts and deep sea coral ecosystems. On an almost weekly basis, new organisations are joining their voices to the call for urgent action to protect these ecosystems.

Concerns about the devastating and unregulated nature of bottom trawl fisheries on the high seas were brought to the world's attention in a statement signed by more than 1100 scientists - including the world's foremost marine biologists - in February, 2004, which called for a global moratorium on bottom trawl fishing in international waters.

By September of that year, the call for the moratorium was formally introduced at the UNGA by several States, with Costa Rica and Palau taking a lead in pushing for its adoption. By the time the UNGA adopted its annual resolutions on oceans and fisheries, the number of supporters of a moratorium on bottom trawl fishing in international waters had swelled to include the majority of States in Latin America, the Caribbean and the Pacific. A number of other States have supported modified versions of a moratorium, including Norway and New Zealand.

Nevertheless the European Union (whose position is determined largely by Spain - responsible for around half of the high seas bottom trawl catch) has failed to embrace the moratorium call, supporting action only via individual States and regional fisheries management organisations (RFMOs), and only where trawling is known to be occurring on particularly sensitive ecosystems. Unfortunately, most RFMOs manage the exploitation of fish stocks with little concern for biodiversity or habitat. Moreover the application of the precautionary approach - which States agreed to in the UN Fish Stocks Assessment and many other international agreements - would require all high seas areas to be put off limits to bottom trawl fishing until sensitive and vulnerable areas have been identified and effective governance structures have been established to ensure their protection. The recent fatal collision of a US nuclear submarine with an uncharted seamount underscores how little we actually know about what's out there.

The EU, a number of other States have undermined the moratorium call, including for example Iceland, the US, Canada and Australia.

The DSCC is continuing its campaign in 2005, building support for the moratorium at the next session of the General Assembly. In the meantime, the chorus of voices amongst scientists, NGOs and conservation-minded governments is growing louder and clearer. It is only a matter of time before the UN takes action.

HUMAN SETTLEMENTS

By Jane Fenshaw

According to Michael Kane, Board Member with Habitat International Coalition, the issue of human settlement is the least developed aspect of these CSD policy negotiations.

Yet the raw statistics are frightening - last month the UN Chair of Habitat quoted that the rate of slum growth is predicted to rise FIVE times faster in the next decade than our ability to mitigate slum living conditions. The planet has more than one billion people who are inadequately housed.

By 2007 50% of the world’s population will live in cities, and 4 out of 5 of these people will be in cities in developing countries.

He argues for the following priorities to be taken on board in our current negotiations:
1. We need to change our emphasis from satisfying "needs" to establishing "rights" to ensure action for water, sanitation and settlement goals.
2. The profile of social inclusion needs to be raised dra-
COUNTRY PERFORMANCES

TRADE UNIONS DELIVER PROFILES DETAILING COUNTRY PERFORMANCES

Trade unionists have already launched lobbying exercise at CSD13 by delivering kits to each government delegation containing an evaluation profile of their country’s performance on sustainable development indicators of particular importance to working people.

A joint letter signed by leaders of the Northern Alliance For Sustainability (ANPED), the International Confederation of Free Trade Unions (ICFTU) and the Trade Union Advisory Committee to the OECD (TUAC) says that the organisations have agreed to work together to turn these Profiles into a vibrant tool for national and regional action.

The Sustainable Development Profile for each country were made possible by over two years of dedicated work on a flexible, scalable database that allows addition of new indicators and updating of existing data as information becomes available. Last year, the European Union Presidency urged trade unions to consult with other Agenda 21 Major Groups to produce the new, expanded version. The latest version, therefore, includes suggestions made by other Group representatives over the last year.

In accordance with longstanding trade union priorities, many of these indicators relate to the Social Dimension of Sustainable Development, such as the following categories:

- **Consumption issues**, including WWF footprint ranking for each country, and data on water, sanitation, energy and urban settlements issues;
- Livelihood or security issues indicating the status of each country with respect to poverty, employment, equity, debt, education, science and other issues;
- Environment & health issues for communities and workplaces, including information on ratification of key instruments and measures. Public health issues also include HIV/AIDS;
- Rights at work including commitments to respect the ILO’s “Fundamental Principles and Rights at Work”, to take action on child or forced labour, and to promote employment equity and freedom of association,

A rapidly-expanding category on **Government Oversight of Employer Accountability** provides formation on a growing list multinational enterprises that have subscribed to a CSR or other voluntary measure (e.g., the Global Compact, GRI, and OECD Guidelines for Multinational Enterprises). It also notes the capacity of Local Authorities to lead community action for sustainable development.

The Country Profiles signify a long-term commitment to work with governments and to engage in process within each country that involves Major Groups in effective decision-making for sustainable development. As such, they can become an effective tool to facilitate dialogue defining concrete actions for implementing CSD outcomes.

Contact trade union representative, Mr. Lucien Royer at royer@tuac.org, or the ANPED representative, Mr. Jan-Gustav Strandenaes at jgstr@online.no. While government delegations received profiles only for their own country, all profiles are available at: http://www.global-unions.org/pdf/ohsewpO_1b.EN.pdf, along with a companion ‘Backgrounder & References’ at: http://www.global-unions.org/pdf/ohsewpO_1c.EN.pdf.

Michael suggests that CSD13 endorses the suggestion of UN HABITAT to at least reduce by half the proportion of slum dwellers in the urban population between 1990 and 2020, and to apply this target to each country based on a baseline assessment of their substandard housing.

Governments and the private sector must stop mass forced evictions, which displace hundreds of thousands of people each year. In the context of upgrading UN human rights monitoring agencies, UN habitat should be charged with developing a proposal for binding minimum global standards for the rights of tenure. This would include strengthening the capacities of the restructured Human Rights Commission, The Special Rapporteur on Adequate Housing and the Advisory Group on Forced Evictions.

Michael points to Brazil's good practice in regularizing and legalizing informal settlements. However areas of concern which persist include the need for participatory budget setting, where attention is needed to tighten project budget tracking, thereby ensuring the money gets to the right target, transparently.

Dr. Ron Spreekmeester of the Dutch based Habitat Platform said “In delivering habitat solutions community planning is a much neglected tool in urban development—communities ensure the right solutions are reached and that there is on going project ownership.”
By Felix Dodds, with Michael Strauss

“We are turning into a nation of whimpering slaves to Fear -- fear of war, fear of poverty, fear of random terrorism, fear of getting downsized or fired because of the plunging economy, fear of getting evicted for bad debts, or suddenly getting locked up in a military detention camp on vague charges of being a Terrorist sympathizer.”
Dr Hunter S Thompson

One of the problems with travelling so much is that news doesn’t happen in a linear way. Sometimes you can find yourself catching up on old news waiting for planes, reading last month’s magazines. I was sitting in Stanstead airport, waiting for a flight to New York via Bilbao (don’t ask) when I picked up a copy of ‘Uncut’, a UK music magazine, with a free CD which included classic Jimi Hendrix from 1968 -- which now seems strangely appropriate. I found inside an obituary for Dr Hunter Thompson, possibly the best journalist of his generation, whom I hadn’t realized had died.

Thompson was best known for his articles in Rolling Stone magazine and his books: “Fear and Loathing on the Campaign Trail” (1972); “Fear and Loathing in Las Vegas” (1972); and “Better than Sex: Confessions of a Political Groupie” (1993), on the Bill Clinton election. Two Hollywood films of his life had him portrayed by Bill Murray (“Where the Buffalo Roam, 1980) and Johnny Depp (“Fear and Loathing in Las Vegas”,1998), not to mention a West End play. There was also the invention with Bill Murray of a new sport:

‘Shooting Golf’. (Shooting Golf is based on the skill of shooting your opponents golf ball with a rifle, while it is in the air. So far it has not become an Olympic sport – maybe something to be considered to honor the good Mr. Thompson!)

Then, of course there was Duke, the chronically corrupt, former CIA agent character in the comic strip, Doonesbury.

(Duke, who has had many roles, most recently served as Proconsul for a small crime infested town in post-invasion Iraq.) After a week long tribute, cartoonist Garry Trudeau announced he would not kill off the Duke character, so his presence will still be with us. (published in the International Herald Tribune).

He was known fondly --or not -- as open ‘The Doctor’ (an allusion to his career -- long involvement with illicit pharmaceuticals), and as the inventor of ‘Gonzo Journalism’ (the first-person, highly-subjective, ‘now it’s reality and now it’s not’ style of reporting that broke down the barriers between objective observation and instinctive understanding).

It is difficult to decide just how much the myth of the gonzo journalist was true. The setting off of a fire extinguisher in the face of Richard Nixon on the campaign plane in 1972? Probably not! The havoc caused by him giving his press pass to a drunken lunatic on the campaign train of Ed Muskie one of the Democratic candidates in 1972, or attending a police convention while high on drugs? Very possibly true! In 1975 when it was rumored he might stand for President, Jimmy Carter sent a note saying he would drop out in favour of Thompson. Thompson and Rolling Stone were the first journalists to endorsed Carter. Carter won

He was part of a group of political writers like Norman Mailer and Gore Vidal who spoke for a generation that felt it had lost its heroes in Bobby and John Kennedy and Martin Luther King, and were left with Richard Nixon, Spiro Agnew, and now Dick Cheney and George W Bush. The contrast for Thompson was huge. About Nixon, he said: “America’s answer to the monstrous Mr. Hyde. He speaks for the werewolf in us.”

He counted as his friends people across the political spectrum, from right-wing rabble-rouser Nixon advisor, Pat Buchanan, to Noble winning moralist, Jimmy Carter.

Personally, I will treasure, the poster the good doctor sent me in 1985 of himself playing golf in Aspen, with the message, “From your President”. We will miss you Hunter. Your words amazed us and your antics shocked us, but most of all your voice spoke for us. Perhaps it is best to end with his words on his own country, today:

“America... just a nation of two hundred million used car salesmen with all the money we need to buy guns and no qualms about killing anybody else in the world who tries to make us uncomfortable.”

And he hadn’t even been to the CSD.

Goodbye to Gonzo
Indicators drive politics we cannot manage what we cannot measure, and there would be no Kyoto Protocol without the simple indicator CO2 emissions. In view of the September 2005 Millennium Review Summit (MRS), we have published a new version of the Dashboard of Sustainability featuring the Millennium Development Goal (MDG) indicators. An online demo with reduced functionality can be consulted at [http://esl.jrc.it/dc/mdg8/index_ia.htm](http://esl.jrc.it/dc/mdg8/index_ia.htm), the full (Windows only) version can be downloaded from [http://esl.jrc.it/envind/mdg.htm](http://esl.jrc.it/envind/mdg.htm) and offers, inter alia, analysis of linkages between the MDGs, customised maps and many other features (see an example at [http://esl.jrc.it/dc/mdg8/mdg_fve.htm](http://esl.jrc.it/dc/mdg8/mdg_fve.htm)).

Installation will take only a minute, and it is absolutely free. Why?

First, because the Dashboard, developed by IISD and the European Commissions Joint Research Centre, was always intended as a free tool for indicator developers and users, students, decision-makers and the general public; you may consider it a generous gift from the Canadian and European taxpayers.

Second, because all data are publicly available from the United Nations Statistics Division (and other sources the demo version actually uses data from the World Bank MDG site).

Third, because we believe that a wide use of the MDG indicators in development policy is of utmost importance for achieving the Millennium Development Goals, for two reasons: 1. Monitoring of the MDGs: The Sachs report (to quote the most prominent example) has 3,000 pages and is an excellent source of information; but not everybody has the time to read thick reports, and often a handful of sober figures tells you more than a glossy report that promises monitoring but delivers hot air. 2. Designing PRSPs (and other forms of national development plans, such as National Sustainable Development Strategies): The MDG dashboard shows at one glance the strong and weak points of a country, and thus helps to discuss what are the most urgent needs to be addressed, and how a given national budget can most efficiently be allocated to reduce poverty and promote sustainable development.

A propos Sustainable Development: the subject line promised CSD and MDG indicators so where are the CSD indicators? The indicator set designed by the UN Commission on Sustainable Development (CSD) is still included in the software package, and offers 61 indicators for all UN countries; after the first run, you can select this set when you launch the Dashboard from your Windows Start menu (Start->All Programs->Dashboard). However, the CSD set has been compiled by John O’Connor over two years ago and therefore has become a bit stale.

Since there is no official data collection for this set, and since the Dashboard project has virtually no budget, chances to get an update are zero. We include the CSD indicators only for didactic reasons, i.e. to show the differences between the SD-oriented CSD set and the nowadays politically more relevant MDG set.

Before you start exploring the MDG indicators, here are some warnings:

- The dashboard displays country performance using a colour code ranging from deep red (very bad) over yellow (average) to deep green (excellent). However, the dominant colour in the MDG set is blue (no data). Don’t blame the dashboard, and PLEASE don’t blame the UN Statistics Division they do what they can, but collecting reliable statistics for sixty indicators from two-hundred (often utterly poor) nations is not an easy job.
- The MDGs are not the Holy Bible. Especially academics will find it difficult to accept, for example, that there are no governance indicators in the MDG set, that SRH is lacking, or that the environmental indicators in MDG 7 are so poor. Well, if you want better indicators, just press Control F5 while the dashboard is running around 20 more sets are waiting for download, including the Commitment to Development Index (Ranking the Rich), various governance indices, a Human Rights Index, the CIESIN/Yale Environmental Sustainability Index, the Ecological Footprint, plus some surprises. However, if you want official, reliable, politically strong indicators for judging the effectiveness of development policy, then consider making friendship with the MDG.

We hope you find the MDG Dashboard useful. Please feel free to forward this mail to colleagues; and of course, links from your web site to the dashboard ([http://esl.jrc.it/envind/mdg.htm](http://esl.jrc.it/envind/mdg.htm)) are highly welcome.

JJ, Member of IISD Consultative Group on Sustainable Development Indicators
The Commission of Sustainable Development raised at the sunset of the Rio Summit as a sunray aiming at enlightening environmental problems and developing adequate solutions. Nowadays, the origin of water problems and the scope of water individual rights are undoubtedly clear: natural geological conditions on the one hand and unsustainable consumption and economic patterns as human causes on the other. We are aware that in most cases, environmental conflicts, even local ones, have a global character. As global problems, they need global environmental solutions in order to be cured at the root.

However, the international legal community has not shown capacity to adequately deal with water issues: we assist at the lack of proper legal frameworks, lack of funding and infrastructures and efficient policies. Even individual water rights have not been sufficiently recognized yet and still look far from being enforced. National courts don’t settle water disputes in a environmentally sound manner through rulings enabling to solve the conflict at its origin.

And here comes an organisation as the International Court of Environmental Arbitration and Conciliation (ICEAC) aiming to give full application to International Law and the principles of sustainable development. I particularly refer to:

1. An effective access to justice free of economic and procedural obstacles, which entails the broadest legal standing to all de facto affected subjects and communities,
2. The general and constant application of International Law and environmental Principles in any dispute, including in lawsuits located in countries with weak environmental legislation.
3. The use of environmental sanctions aiming at the restoration of the damaged environmental resources towards its baseline conditions. Indeed, judicial rulings are currently focused on civil or penal sanctions, with a consequent "commodification" of the environment at detriment of its heal.

The presence of a non-institutional body dedicated to the resolution of environmental conflicts, composed by high qualified judges and Professors of International Environmental Law and representing different legal cultures, is unfortunately still needed: until clear binding rules granting water individual and justiciable rights won't be established as the rule of law.

Until people won't be able to challenge unjust public decisions and private activities affecting their rights and until procedural rules won't ensure a broadest and easy access to judicial review and redress regardless to one’s economic conditions. Until courts decisions won’t give environmental problems environmental solutions. Natural resources can't be substituted by money forever!

When the implementation of these rights will be ensured, then an organisation as the ICEAC could happily disappear. Happily because we’ll be closed to the attainment of our common objective: the general recognition and practical application of values that we use to call "Human Rights".

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“International Court of Environmental Arbitration and Conciliation
Corte Internacional de Arbitraje y Conciliacion Ambiental

“Multistakeholder Water Conflict Management”
Wednesday 13th of April at 18:15
in Conference Room N.6

OUTREACH • CSD-13. 11-22APRIL 2005
6
From CSD to The Millennium Development Summit
Challenges for the Next Decade
Wednesday 13th April 2005
1.15pm to 2.45 pm, Conference Room 6

Speakers

Prof. Ibrahim Gambari  
UN Under Secretary General  
and Special Adviser to Kofi Annan on Africa

Mr. Byron Blake  
Deputy Permanent Representative of  
Jamaica (Chair of G-77)

Roy A Hathaway  
Head of Environment & Sustainable  
Development International Division,  
Defra, UK (Chair of G-8)

Mike Muller  
Director General Water Affairs and Forestry,  
Government of South Africa.

Felix Dodds  
Executive Director, Stakeholder Forum

Chair
Malcolm Harper, Stakeholder Forum

The main aim of the side event is to highlight the linkages of the outcomes of CSD 13 (Water, Sanitation & Human Settlement) to Millennium Development Summit agenda. The discussion would cover the following:

• Following on from the two years work of CSD what kind of outcomes we would like from the MDG review summit in the area of Water, Sanitation & Human Settlement.

• A forward look to how CSD’s next work programme on energy, climate change, atmosphere and industrial development can assist progress towards the achievement of MDGs

• Ways to strengthen international institutions and governance to better support the achievement of the MDGs - taking account of the Secretary Generals report - ‘In Larger Freedom’ and other relevant initiatives.

Water, Health, and Environmental Security

April 12, 2005 1:15-2:45 P.M. Conference Room 2

Organized by World Information Transfer
Co-Sponsored by: Permanent Mission of Ukraine to the United Nations
Environmental Change and Security Project, Woodrow Wilson Center, Washington, DC
Stakeholder Forum, San Sebastian, Spain

Introduction: Christine K. Durbak Ph.D., World Information Transfer, Chair
Moderator: Edward Sieveking Emery Ph.D., World Information Transfer

Panelists: Kazuo Sunaga Minister, Head of Economic Section, Permanent Mission of Japan  
Representative from the Permanent Mission of Kenya
Felix Dodds Executive Director, Stakeholder Forum for a Sustainable Future
Greg Foster Ph.D. Prof, Industrial College of the Armed Forces National Defense University, Washington
Discussant: Karin Krchnak J.D. Director, International Water Policy, The Nature Conservancy and Co-Chair of the UN Commission on Sustainable Development’s Fresh Water Caucus
## TUESDAY’S AGENDA

### Partnership Activities

**Partnerships Information Desks: Global Water Partnership**
- Recovery of the Circuit of Four Lakes

**Partnerships Information Desks: TIGER** (Earth observation for integrated water resources management)
- US Tribal Water Access Partnership

**Side Events**
- Water, Health and Environmental Security Organized by World Information Transfer
- Millennium + 5 and UN-Civil Society Relations Organized by United Nations Non-Governmental Liaison Service
- Water, Sanitation and Hygiene Education for Schools Organized by UNICEF
- Citizens Actions for Water & Sanitation Organized by Wateraid/WSP-Africa

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