

OUTREACH 1987

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speaking for the CSD/NGO Steering Committee

in collaboration with ECO 1987

ECO has been published by Non-Governmental Environmental Groups at major international conferences since the Stockholm Environment Conference in 1972

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Countdown to Earth Summit II

CSD 5 SPECIAL EDITION

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COMMENTARY...

Earth Summit Minus Five  
10 Reasons to Despair  
Environmental Negotiations

Yesterday was Earth Day - an occasion to honour the Earth and all life on it. But in view of the

present stalemate in the ongoing environment negotiations, we felt little reason to celebrate. Instead, we found it to be a day of 10 negations.

The CSD/NGO Community has been monitoring the CSD proceedings for two weeks now and have come to the following conclusion:

We are utterly dissatisfied at the manner in which political commitments made in Rio have been reduced to perverse politicking by regional blocks in the pursuit of narrow economic interests at the CSD.

This was the occasion to review progress in implementing agreements made at Rio and subsequent UN conferences. However, instead of moving forward with concrete targets and timetables, we find we are compelled to defend already established agreements and prevent faithless backsliding by governments in every region.

This is a retreat from the Rio principles and Agenda 21. This is not acceptable and is contrary to the spirit and objectives of the review process. We are moving towards Earth Summit Minus Five - instead of the hoped-for Earth Summit Plus Five in June.

We have noted many weaknesses in attempts to address global issues faced by people and the planet at fora such as the UN CSD. These include:

- deficient public consultation together with a lack of issue knowledge and preparedness on the part of

the majority of governmental delegations;

- underperformance of governments on the public concerns which have brought them to this forum;

- lack of attention to the underlying causes of ecological, social, cultural and economic destabilisation and the promotion of business-as-usual - but flawed - economic development models;

- lack of integration of the polluter pays and precautionary principles, the right to know and participatory decision-making;

- failure to address the undermining of global environment and social agreements by processes of globalization and practices of institutions such as the World Trade Organisation, the International Monetary Fund, and the World Bank;

- denial of recognition of the rights of indigenous peoples and their perspectives on sustainability and their inclusion in decision-making processes;

- failure to examine the impact of militarism, war and conflict on the environment and people;

- failure to connect environmental degradation with human rights violation;

- retreat from a commitment to gender perspectives, and the inclusion of women at all levels of decision-making structures and processes;

- failure to ensure that corporate interests and behaviour do not violate the prospects for achieving just and sustainable societies.

We have attempted to redress these weaknesses by making a series of specific recommendations on

these and other issues. We urge you to deliver on your promises to include insights and recommendations from the major groups / government dialogue sessions. We urge governmental delegations to refer to the attached CSD NGO document for guidance on bringing in citizens' perspectives on the crucial issues being addressed by the CSD.

The decisions to be reached here in three days time - which will be reiterated at Earth Summit 2 - will impact billions of children, women and men worldwide. We urge you to act responsibly and be accountable to the diverse constituencies you are here to represent. World leaders must recognise that they cannot expect to turn up in New York in June, make fine speeches and expect glowing reviews. There is a crisis of confidence which they have only a few weeks to address. They must provide targets, timetables and free up resources to reinvigorate the process with a sense of urgency. We hope you heed our warning. Our eyes are on you.

submitted by Malini Mehra  
Friends of the Earth International

### INSTITUTIONAL MATTERS...

Brief comments on the General Assembly decision 51/467 of 18 April 1997: Participation of major groups, including non-governmental organizations, in the nineteenth special session of the General Assembly

from Bill Pace, convener of the Legal and Institutional Caucus and Jan- Gustav Strandenaes, Editor, Outreach

The resolution secures the right of formal participation of NGO's in the plenary of the GA, which is an important precedent. NGO participation in the Ad Hoc Committee of the Whole is also secured.

Perhaps of greatest legal significance is that, with the adaption of the resolution, the GA is agreeing to the principle of "special arrangements for the special session".

Unfortunately, the governments changed Presidents Razali's proposed resolution - so the resolution adopted applies only to the Rio special session and not to all of the GA's UNGASS on world conferences.

Also, the resolution does not address the more fundamental problem of how NGO's can monitor and participate in the follow-up to the special session "global agenda's" , the GA and other areas of the UN.

So there is still more work to be done to make this organization a democratic one. Which incidentally is quite interesting as the organization once was conceived in a spirit of fighting tyrannies and oppressive governments and safeguarding democracies.

And speaking of NGO participation in UN work. Funnily enough, the World Trade Organization/ Commission on Trade and Environment is still closed to NGO participation. The CSD Secretariat's report from the Dialogue sessions included a number of recommendations relating to greater transparency within the WTO/CTE. Australia proposed on Tuesday that a text relating to this issue be included in the final report. The Chair of the Drafting Committee agreed to relay this to Mustafa Tolba for possible inclusion in the final text. But will it be included?

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General Assembly decision 51/467  
of 18 April 1997:

At its 96th plenary session, on 18 April 1997, the General Assembly, recalling its resolution 51/181 of 16 December 1996, in which it recognized, inter alia, the important contributions made by major groups, including non-governmental organizations, at the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, and in the implementation of its recommendations, and recalling also that in the same resolution, to propose to Member States appropriate modalities for the effective involvement of major groups in the nineteenth special session of the General Assembly.

a) Decided that major groups, as identified in Agenda 21 and represented by non-governmental organizations in consultative status with the Economic and Social Council and on the Roster, would be invited to participate in the plenary meeting of the nineteenth special session of General Assembly in the debate on an overall review and appraisal of the implementation of Agenda 21;1/

b) Decided also that representatives of such major groups who could not be accommodated in the debate on an overall review and appraisal of the implementation of Agenda 21 in the plenary meeting of the nineteenth special session may be invited to address the Ad Hoc Committee of the Whole of the special session;

c) Invited the President of the General Assembly to extend invitations to representatives of such major groups to participate in the nineteenth special session of the General Assembly;

d) Decided that arrangements concerning the participation of representatives of such major groups in the nineteenth special session of the General Assembly would in no way create a precedent for other special session of the Assembly.

1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev. 1 (vol. I and vol. I/Corr. 1, vol. II, vol. III and vol. III/Corr. 1) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

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<http://www.igc.apc.org/habitat/csd-97>

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RIO GRINDS...

Results of the poll of possible candidates for the Executive Secretary of UNEP (# of votes)

1. Gro Harlem Brundtland (71)  
Former Norwegian Prime Minister
2. Ambassador Razali (69)  
Malaysian Ambassador to UN
3. Ambassador Kakakel (36)  
Chair of Habitat II Conference
4. Chee Yoke Lin (28)  
Third World Network
5. Klaus Topfer (27)  
Former Chair, CSD

6. Svend Auken (17)  
Danish Minister of Environment

7. Yolanda Kakabadse (8)  
President, IUCN

8. Michael Zummit Cutajar (8)  
Executive Director, FCCC

9. Al Gore (7)  
US Vice President, author

10. Mahbub ul Haq (6)  
Author of UNDP Human Development Report

11. Ambassador Cavalcanti (6)  
Former Chair, CSD

12. John Gummer (5)  
UK Secretary of State

The persons who weren't on the list but should have been considered as a candidate: Swampy, Juan Somavia, Derek Osborn, Barbara Bramble, Kermit the Frog, Richard Sandbrook, Newt Gingrich's former driver, Felix Dodds, Mary Robinson, Gordon Shephard, Hillary Clinton.

#### QUOTES...

"Governments are not here to re- authorize agreements already agreed upon". (US statement during the deliberations on Oceans, 22 April).

"I am more of a diplomat than a fisherman" (Tanzanian delegation).

#### ON TRANSPORT...

"A Bridge Too Far"  
European Union Transport Policy and Sustainable Development

By Frederique Minderhoud,  
Netherlands Committee for IUCN

With the continuing integration, of markets in Europe, and with increased economic growth and higher levels of income, transport has become a major growth sector in Europe. The benefits of transport have come at a high price however, and have led to environmental problems which are further accentuated by heavy congestion at system bottle necks. The transport sector imposes external costs on society, for example through CO<sub>2</sub> and NO<sub>x</sub> emissions, noise pollution, habitat fragmentation. As it covers an increasing area of land, transportation excludes other uses, cutting through ecosystems and spoiling views of natural scenery, landscape and historic monuments.

Infra-structural Networks With the conclusion of the Maastricht Treaty in 1993, a new formal framework for Community action on the transport infrastructure was created, by developing three series of Trans European Networks (TENs), for transportation, communication and energy. The TEN plan for transport is planned as a modern infrastructure, to bring together the European Union as a whole, by "interconnecting national networks, making them inter-operable and linking the peripheral regions of the Union with the center."

It combines the national plans of EU member states, and involves construction and upgrading of approximately 140 roads schemes (including 15,000 kilometers of new motor ways), 11 rail links, 57 combined transport projects and 26 inland waterway links. In March 1994 the European Commission, in accordance with article 129 of European Union Treaty proposed a set of TEN guidelines for this multi modal transport network. In July 1996, the European Parliament and the Council of Ministers finally adopted the TEN guidelines.

#### Protection of the environment

A coalition of European NGOs working on sustainable development and transport issues has been following the development of the TEN guidelines. One of the coalitions greatest concerns has been the lack of mechanisms for environmental protection in this massive infrastructure plan. Greenpeace estimated for example, that on the basis of Commission data, CO2 emissions will increase an additional extra 15-18% by 2010 (above the current forecasts of 42%). Furthermore, implementation of the coherent ecological network of protected areas required by the EU Habitats Directive will be frustrated by the TEN.

The guideline legislation on the TEN contains weak references with regard to environmental protection. It provides for little more than is set out in the existing Environmental Impact Assessment and Habitat Directives. Furthermore, the guidelines contain a weak provision on the need for a Strategic Environmental Impact Assessment of the plan as a whole, and of the concept of corridor analyses.

#### The right scale for land-management and public participation

The main problem with these kinds of international mega-schemes like the TEN, is that they are the result of complicated negotiations between governments. Once these governments have made a deal, there is no more room for adapting the scheme to the ecological, social and economic concerns of local communities. This became obvious during the national debates about some of the first concrete projects in countries like the Netherlands. The obligatory national participatory procedures could at most only lead to a change in minor details, and local participants were unable to question the need and usefulness of the projects themselves, as the projects were part of the intergovernmental deal.

#### TEN, Economy and Environment

Several studies have also shown that, as for the relationship between economic growth and the strengthening of infrastructure, questions can be posed about this "positive link". The construction of roads is not automatically beneficial for the economy, employment and community cohesion, as a report of the World Wide Fund for Nature and the European Federation for Environment and Transport reveals.

#### Conclusions

In most cases, the destruction of landscapes and nature is irreversible. Before the institutions of the EU make plans to enact policies in sectors, like transport and in mega-scale plans like the TEN, they should take into account the impact such plans may have on nature and the environment. The concept of sustainable development to which the EU is formally committed is based on adopting practices in all sectors of the economy which do not inflict more damage on the natural environment than it can cope with. Carefully conceived and integrated urban land use and transport planning is considered by many to be a potentially effective approach. In the long term it can significantly modify the demand for travel, especially in favor of public transportation. The provision of additional road infrastructure is rarely a solution and often contributes to the problem of increasing demand for motor vehicle travel.

For more information please contact Ms. Frederique Minderhoud, Netherlands Committee for IUCN, Plantage Middenlaan 2B, 1018 DD Amsterdam, the Netherlands, tel. 31 20 626 1732, fax. 31 20 629 3479

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## NGO VIEWPOINT...

### Separate Panels for Interlinked Issues: the Need to Get Organized

by Sander van Bennekom, Tools for Transition, NL

After five years of CSD process, the need for institutional innovation, improvements and fine-tuning the format of the negotiating process is recognized by different participating groups. Seldom before have the delegations to the CSD been encountered with so many proposals to establish separate intergovernmental panels, or other fora, on various issues relating to sustainable development. Official and non-official documents propose a panel on trade and sustainable development, a forum on forests, a panel, or a forum, on finance and a subcommission on corporate accountability. These proposals account for an improved sense of strategy among governments and NGOs to achieving sustainability but at the same time, these different proposals can create confusion. There is a genuine concern that the comprehensive character of the debate is at risk of being lost by splitting up the work programme. A review of the various proposals is therefore appropriate.

Although an exact definition of sustainability is still lacking, especially from the different regional perspectives, there is widespread consensus on both the necessity and the complexity of changing the current consumption and production patterns. Implementing Agenda 21 is an unprecedented exercise, especially since the document is much more explicit on goals than on means. To develop action plans, it is imperative to maintain a balance between the main principles of the sustainability agenda: environmental integrity, equity, and efficiency. The concerns about the domination of the work programme of the CSD by, mainly northern, environmental interests are well founded and the NGO community has the responsibility to stress the linkages between the different interests of the sustainability agenda.

Yet, this holistic view also runs the risk of the CSD becoming a talk shop whereas financial institutions such as the World Trade Organization (WTO) create one committee after another to develop detailed strategies on basis of the extremely broad agenda of the Uruguay Round. The strength of an organization such as the WTO is not only based on its financial powers, but also on its organizational capacity. The secretariat of the WTO, as do many other financial institutions, employs highly intelligent and well-trained people who have specific job descriptions to implement the selective agenda of the Uruguay Round, while the higher authorities of the Organization make sure that the recommendations do not conflict with one another.

If the CSD is about to make an effort to create any kind of counterbalance against the interests of the short-term and unbalanced financial interests that rule the world, they should follow the same model of organization. The different fora which are mentioned above are a good start. For instance, the objects of trade regulation are those sectors of the economy which specifically aim to export or import goods or services. The regulation of investment is directed towards the entire economy, whether or not the economic actors have the intention to trade. The limitation of performance requirements for investors plays a crucial role in the proposed Multilateral Agreement on Investment, whereas it is not relevant at all for the regulation of trade. Hence, trade regulation and investment regulation may share common goals, but there means are often entirely different.

The proposals as they are currently formulated are not conflicting, but they should be regarded as complementary to maintain a right balance between government, citizens' and business interests. The strategy for CSD to ensure that trade, finance and corporate accountability will lead us to sustainability should not only reflect the interlinkages, but also acknowledge that some work must be delegated to separate fora.

Of course, the different panels proposed can also create problems. Every panel requires adequate regional participation of all countries. Already, many developing countries are overwhelmed by the different proposals and it is not sure that all these panels can ensure adequate regional participation in their meetings. Further work on strategy should therefore become higher on the agenda of the UN Commission on Sustainable Development. Although many people may be appalled by the hidden agendas and slow process of the CSD, it is the best chance we have to find a reasonable future for the spaceship Earth.

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## Government of India Needs to Stop Supporting Unsustainable Shrimp Farming

by Clif Curtis, Greenpeace International

In late 1996, the Supreme Court of India handed out an extremely important decision that advances the cause of sustainable development. The ruling banned intensive shrimp farming, funded by big corporate investors, in ecologically fragile coastal areas in the State of Andhra Pradesh (AP).

That was really good news. The bad, very terrible news, though, is that the Government of India and its upper House of Parliament are working with the AP Government to pass a law that vitiates the Court decision. It's an action that directly contradicts what sustainable development is all about.

The shrimp industry is touted as a major foreign exchange earner and an economic liberator of the agrarian economy. With active support from government and financial institutions, millions of rupees have been pumped into this industry. Heady and flush with funds, the industry has been riding roughshod over environmental concerns for over a decade.

The way aquafarms were established without any sanction from any regulatory authority, one would think that the industry thought itself to be above the law. The nouveau fish-prospectors converted large tracts of land all over the coast of AP into prawn industry sites, blockading the coast, stuffing prawns with steroids and antibiotics, blinding mother prawns caught in the wild to raise reproduction rates, and densely stocking the ponds with shrimps. In addition, they increased the salinity of coastal aquifers, destroyed mangroves and wetlands and degraded the environment.

Artisanal fishworkers and citizens of AP challenged the intensive shrimp farming in the Supreme Court, under the Coastal Regulation Zone (CRZ) Notification of 1991, which regulates and limits all activity within 500 metres of the high tide line and near creeks, estuaries and other waterbodies. The CRZ law has hardly been enforced in most states of India, but the petitioners used it to seek the ban on the unsustainable shrimp farming.

On 11 December 1996 the Court's historic decision upheld justice, favoring preservation of coastal ecosystems, while also setting a great example for other countries to follow. But now, that tremendous victory risks being set aside by powerful government and corporate interests.

Today and tomorrow, 23-24 April 1997, over 200 fisherfolk from the state of Andhra Pradesh are staging a hunger strike in New Delhi, demanding that the Supreme Court decision be implemented in full, as a right to their livelihood and protection of India's coastal land. Artisanal fisherfolks, in particular, deserve the opportunity to live in dignity and to earn a living in peace with nature - fishing and living in accordance with the letter and spirit of sustainable development.

If your government, your NGO, or you as an individual believe that the Supreme Court decision was correct, you should contact the Government of India and tell them that. If your government, your NGO or you as an individual believe that powerful corporate interests should not be allowed to trample on ecologically sound and socially just practices, you should contact the Government of India and tell them that.

Fishworkers in India would greatly appreciate anything you can do to support them in their hunger strike. The following are some contact numbers you can call or fax to express your views on this issue:

\* Ambassador Prakash Shah, Permanent Representative to the UN here in New York for the Government of India - tel: 212.490.9660; fax: 212.490.9656

\* President of Republic of India: fax: +91.11.3017290

\* Chief Justice of the Republic of India: +91.11.3383792

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## Partnership for Indigenous Peoples Environment

Submitted by PIPE

To ensure that 19 Ogoni environmentalists detained since 1994 are not executed for their activism and are able to regain their freedom, a coalition of Non- Governmental Organizations (NGOs) have brought Nigeria to the top of their agenda. A solidarity organization known as Partnership for Indigenous Peoples Environment (PIPE) has been created with the Ogoni case in Nigeria as a top priority.

This is being done in follow-up to a presentation given by Goodluck Diigbo at the Indigenous Peoples' Dialogue forum of the 5th Session of the United Nations Commission on Sustainable Development (CSD). Goodluck Diigbo is a member of the Steering Committee of the Movement for the Survival of Ogoni People (MOSOP) and National President of the National Youth Council of the Ogoni People (NYCOP). Mr. Diigbo, who also spoke at two other Sessions, including one on Corporate Responsibility and Sustainable Development, where he showed a video on Shell Oil Company's operations in Nigeria, moved numerous participants to take immediate action.

Over 500,000 Ogoni people who live in southern Nigeria on their ancestral lands rich in crude oil and natural gas are struggling to protect their villages and farmlands from environmental devastation caused by more than 40 years of oil exploration and exploitation by Shell Oil Company. 9 leaders of MOSOP, including the international writer and environmentalist Ken Saro-Wiwa were hanged by the Nigerian military government on November 10, 1995 while protesting against further devastation of their environment. 30 Ogoni communities have been destroyed. 100,000 Ogoni people have been internally displaced. 1,020 Ogoni live in the Come Refugee Camp in Benin Republic, Nigeria's neighboring west African country. 19 Ogoni environmentalists are facing execution, and a number of Ogoni's have fled, granted safe have in USA, Germany, South Africa, Denmark, Canada, UK, Italy, etc.

Commenting on the formation of PIPE, Mr. Diigbo says, "I welcome the international solidarity as demonstrated by the creation of PIPE and hope that this will send a strong signal to the Nigerian military government and Shell Oil Company that the rest of the world is not only watching but prepared to take action to support the genuine cause of the Ogoni people." Mr. Diigbo further states, "I believe that the world is our common home and no matter your race and color, we must all act together to prevent environmental hazards and their transnational impact."

In 1996, the UN Secretary General's Fact-Finding mission to Nigeria reported violations of international law with respect to the hanging of Ken Saro-Wiwa and 8 others. There has been no follow-up action taken with respect to their findings. Mr. Diigbo urges Mr. Kofi Annan, the Secretary General of the United Nations, in particular, and the international community, to bring to book those responsible for the hanging in order to protect the rights of the Ogoni people under international law. For further information contact 212/962-1210.

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## ARE THEY AFRAID OF HUMAN RIGHTS?

by Tara Krause

People's Decade of Human Rights Education on behalf of the Human Rights Caucus

Over the last four years, the UN system (as well as NGOs and certainly communities of struggle worldwide) have recognized the linkage between human rights and the environment. However, nowhere except at the behest of a few brave governments has this linkage been addressed in the Rio+5 process. Why are the CSD and governments shying away from bringing international human rights norms and standards to these proceedings?

Far from being non-threatening, a human rights approach to sustainable development can be facilitating and contribute a body of internationally-binding norms and standards in place of voluntary generalities. Human rights provide criteria and standards to prevent environmental degradation and to ensure sustainability in terms of intergenerational justice and environmental stewardship.

### Human Rights and the Environment as a Cross-Cutting Theme

Therefore, the Human Rights Caucus calls for the CSD to recognize human rights and the environment as a cross-cutting theme and to consider this theme on the CSD agenda for the 1998 session and annually thereafter. Further, we call for the inclusion of human rights and environmental issues to be monitored and reported by States in their country reports.

International norms and standards cut across all issues of sustainability and provide an enforceable and judiciable dimension to Agenda 21 implementation efforts. They impose a legal obligation. These standards can be invoked by effected communities and peoples to hold states, institutions, corporations, governmental bodies and individuals accountable. They can also be used to justify and attract developmental assistance to solve problems of unsustainable failures of development.

This linkage between human rights and the environment was reiterated in The Vienna Declaration and Programme of Action; the appointment of the Special Rapporteur on Human Rights and the Environment for the Sub-Commission on the Prevention of Discrimination and Protection of Minorities; the 1994 Final Report of the Special Rapporteur on Human Rights and the Environment; and the recent Decision of the UN Commission on Human Rights (E/CN.4/97/1.19) which called for the Secretary General to consider human rights and the environment issues and to prepare a report on the interlinkages of human rights and the environment for the 55th session of the UN Commission on Human Rights.

Currently, there are 5 substantive cross-cutting themes and 4 sectoral issues. Each of the nine categories has a range of related human rights to be brought to the analysis of progress made towards the implementation of Agenda 21. The Human Rights Caucus is publishing a call and position paper to detail further the extensive interlinkages.

The international community has too often affirmed these human rights issues merely as goals or objectives without taking any action to regulate the new economic structures of globalization and liberalization which are leading to increased land loss, evictions and displacement, homelessness, poverty and environmental degradation.

The Human Rights Caucus in partnership with other caucuses such as the Peace Caucus, Poverty Eradication Caucus, and Finance Caucus identified at least four clusters of concerns not presently being addressed in the CSD proceedings. Each of these clusters have important ramifications stemming from the linkage of human rights and the environment. These issues are:

- 1)the disarmament, decommissioning and the practical difficulties of waste management of weapons of mass and indiscriminate destruction;
- 2)developmental aggression and land rights of indigenous peoples, particularly the right to ancestral land and resources, as well as other vulnerable or marginalized communities;
- 3)monitoring and accountability of the private sector to include transnational corporations; and
- 4)post-conflict situations, rehabilitation and reconstruction.

Human Rights as a Means of Accountability In short, all women, men, children and youth have the human right to sustainable development. It is time to hold governments, private sector actors and the UN system accountable for the massive human rights violations and environmental degradation resulting from unsustainability.

International human rights instruments provide us a space for action to ensure that governments and intergovernmental structures discharge their legal-binding obligation to sustainable development.

TODAY, 23 APRIL

CHAIR OF THE G-77 AND THE SOUTHERN CAUCUS,  
CONFERENCE ROOM 2. 2:00-3:00 P.M.

#### ANNOUNCEMENTS

#### DAILY MEETINGS:

(unless otherwise announced)

#### Youth Caucus

8:30-9:00 a.m., Church Center

#### Women's Caucus

8:45-9:15 a.m., Room D

#### NGO Strategy Session

9:15-10:00 a.m., Room D

#### Transport Caucus(from 21-25 April)

11:00 a.m.-12:00 p.m., Room 9

#### Press & Communications Committee

12:00-1:00 p.m., Cafeteria

#### Process Sub-Committee

6:00-7:00 p.m., Room E

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#### Other Caucus Meetings

#### Regional Caucus

Wednesday, 23 April, 12:00-2:00

p.m., Rm. E

#### Energy Caucus

Wednesday, 23 April, 8:30 a.m., Vienna CafE

Thursday, 24 April, 2:00-3:00 p.m., Vienna CafE

#### Human Rights Caucus

Wednesday, 23 April, 10-11 a.m., Room E

Human Rights Caucus

Wednesday, 23 April, 10-11 a.m., Room E  
Health & Environment Caucus  
Thursday, 24 April, 2-3 p.m., Rm E

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#### DIALOGUE ON 'GREENING THE UNITED NATIONS'

The Metropolitan Solar Energy Society and The NGO Science and Technology Caucus are sponsoring an NGO-UN Secretariat/agencies dialogue on Wednesday, 23 April, from 1:15-2:45 p.m. in Conference Room D.

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#### Globalization , Myths and Realities An NGO Roundtable

When: Wednesday, April 23

3:00 p.m. - 5:00 p.m.

Where: Conference room 9

Topics: Reviewing the Relationship of Emerging Globalization Mechanisms with Environment and Development; Liberalization, WTO and the MIA of the OECD; Glaring Shortfalls in Implementation of Agenda 21.

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#### UNEP LAUNCHES "maestro"

On Thursday, 24 April at 1:15 p.m. in Conference Room D, UNEP will demonstrate a new software package called "maestro", containing a Searchable Information Directory on Environmentally Sound Technologies (ESTs) . A limited number of copies of the software will be available. For more information, contact J. Sniffen (UNEP) at 963-8094.

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For information on the United Nations International Decade of the World's Indigenous Peoples, contact Esmeralda Brown, Chairperson of the NGO Committee for the Decade at: tel - (212) 9682-3633; fax - (212) 682-5354; umcgbgm@undp.org.

#### INDIGENOUS SPOTLIGHT...

"We are all decedents of the forest. When the forest dies we die. We are given the responsibility to maintain balance is cast into chaos. When the last tree is gone, and the last river is dead, then people will learn that we cannot eat gold and silver. To nurture the land is our obligation to our ancestors, who passed this to us for future generations." quote from an elder

Due to our acquired responsibility, we would like to express the perspective of the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests.

We, participated in the process of the Intergovernmental Panel on Forests. During this process we clearly stated the concerns of Indigenous Peoples, and other Forest Related Peoples.

We organized an intersessional meeting on the management, conservation and sustainable development of all types of forests, in Leticia, Colombia sponsored by the governments of Colombia and Denmark.

Many concerns were mentioned at the intersessional meeting, which we now share with government delegations. We as Indigenous Peoples believe that it is fundamental that these be included in this fifth session of the Commission on Sustainable Development.

Taking into account the bases for action of chapter 26 of Agenda 21 which encourages involved parties to agreements on the promotion of the full participation of Indigenous Peoples in the implementation of Agenda 21.

In this respect, fundamental aspects affirmed at the IPF intersessional meeting should be taken into account to allow the contribution of Indigenous Peoples and other Forest Related Peoples in the sustainable development of forests as pointed out in the bases for action of chapter 26.

It is necessary to recognize, secure, respect and protect the rights of Indigenous Peoples, over our territories, lands and other natural resources which historically we have inhabited and to have full control on the management use and conservation of these resources.

This should be important in every adoption process of decisions on forests at a local, national, regional and international level.

In the same manner representatives Indigenous organizations and institutions of other forest related peoples should be fully recognized and respected in the process of debate, execution and implementation of forest programs.

In this respect, new mechanisms should be established within the United Nations and its governmental structures to secure the full participation of Indigenous Peoples and Other Related Peoples, in the adoption of decisions on forests at all levels.

In the same manner, the United Nations bodies when dealing with Indigenous issues, should not narrowly work on sectoral themes but continue to engage in dialogue to enhance mutually enriching discussions , to strengthen the new alliance proclaimed by the United Nations during the International Year of the Worlds Indigenous Peoples.

For these reasons, there should be a sincere commitment to support the Declaration on the Rights of Indigenous Peoples, being discussed at the Working Group in the Commission of Human Rights of the United Nations and its relevant objectives for the development and sustainable management of forests and support the establishment of a Permanent Forum of Indigenous Peoples at the highest level of the United Nations system to analyze and discuss the issues concerning the environment.

by Marcial Arias

Regional Coordinator

The International Alliance of Indigenous and Tribal Peoples of the Tropical Forests

ON FINANCE...

The Case For An Intergovernmental Panel On Finance

by the Finance Caucus

Objections against the creation of a panel on finance; and justifications in favour of the creation of a panel.

The proposal by several NGOs to establish an intergovernmental panel on finance has raised both interest and concerns. Following yesterdays contribution to Outreach by the finance caucus, we have summarized the main concerns raised, as well as our responses.

OBJECTION 1

Intergovernmental negotiation fora on finance already exist (WTO, World Bank, IMF, OECD, G7).

JUSTIFICATION

None of these institutions address the financial aspects of the economic, social and environmental dimensions of sustainable development.

**OBJECTION 2**

The CSD is the appropriate forum to negotiate policy actions toward making financial flows and sustainable development mutually supportive.

**JUSTIFICATION**

CSD has little time and capacity to deal with the intricacies of the relationship between finance and sustainable development. During the last five years very few financial experts were part of the delegations to the CSD, especially from developing countries and the economies in transition.

**OBJECTION 3**

An intergovernmental panel on finance will hinder the work carried out by the existing expert groups on financial issues of Agenda 21.

**JUSTIFICATION** A panel will complement and reinforce the work of the expert groups. The panel can make very valuable contributions to the Rio process by providing a forum to discuss the implementation of some of the recommendations made by the expert groups.

**OBJECTION 4**

A panel on finance might unnecessarily politicize the debate on financial issues of Agenda 21 without achieving concrete results.

**JUSTIFICATION**

There is consensus on a wide variety of financial issues of Agenda 21 such as:

- ODA remains necessary to provide for essential public goods;
- too often, ODA is not consistent with the goals of Agenda 21
- there is a lack of coherence between aid policies and other segments of government policy - especially trade and foreign affairs.
- debt continues to hamper many countries' efforts to implement sustainable policies; especially on sectoral issues;
- investment flows can have a positive impact on sustainable development, but only if accompanied by enhanced national, and international, economic, environmental and social policies.
- investment has largely bypassed both the least developed countries as well as marginalised communities inside countries.

An intergovernmental panel can bridge the gaps between some of the areas of consensus mentioned above on the one hand, and the priority concerns of the expert groups. It should be noted that despite the fact that consensus on issues such as the necessity of changes in tax systems has existed from more than fifty years, to date, little has been achieved to deal with such problems.

**OBJECTION 5**

The necessary funds for an intergovernmental panel on finance might reduce the funding available to the existing expert groups.

**JUSTIFICATION**

The intergovernmental panel on finance should in no way be established at the expense of the existing expert groups on finance.

The annual global financial flows, both public and private, amount to around US \$ 1,000 billion. We cannot achieve sustainable development if the global community cannot fund a forum to discuss the relationship between the finance and Agenda 21.

ON OCEANS...

The holy grail: a coherent global ocean policy  
submitted by Maas Goote, IUCN, Netherlands

With the issues of Oceans and Institutional Arrangements both on the agenda of the CSD, its interesting to take a look at some of the conclusions from a report by Stjepan Keckes, prepared for the Independent World Commission on the Oceans.

"The United Nations system will continue to play a central role in the protection of global oceans and management of their resources. It is also assumed that in playing this role, the United Nations system will primarily rely on -UNCLOS itself, and the numerous global and regional conventions associated with the United Nation system, as the legally binding basis for action  
-relevant existing major programmes of the United Nation system, as the substantive basis for action and  
-structures of the United Nations system supporting these programmes, as the institutional basis for action

Such an approach seems logical. However, in order to make it effective, a number of key issues would have to be resolved, taking into account the present shortcomings of the system and the long term requirements of a realistic global ocean policy.

First and foremost, an early decision should be made (presumably by the General Assembly) either (1) to make the present arrangements for reviewing the progress and guiding the implementation of UNCLOS and Chapter 21 a permanent feature, or (2) to design a more suitable arrangement.

The first option would maintain the current hierarchically organized reporting and coordinating chain leading  
-from specialized agencies  
-through the ACC Subcommittee on Oceans and Coastal Areas (ACC-SOCA), the Inter-Agency Committee for Sustainable Development (IACSD), and the Commission for Sustainable Development,  
-to the General Assembly.

Aside from being very complex and time-consuming, the efficiency of this mechanism is doubtful. The agencies are spending an inordinate amount of time on "reporting", frequently using sanitized language which hides more than reveals. The passage through the three intermediate reporting steps (SOCA, IACSD, CSD) is equally fruitless as it results only in recommendations and decisions which in reality have little impact on the work of the agencies. (It is useful to keep in mind that the agencies have their own governing bodies which autonomously decide about the programmes and budgets of the agencies. The actual authority of the CSD, and even the General Assembly, over these bodies is more a fiction than a reality). The General Assembly is a political body poorly qualified to debate substantive programme issues. Last but not least, for all practical the described mechanism leaves "in cold" some of the most important structures and programmes which are not part of the United Nations system. Governments in their wisdom decided that they are not going to meet as Parties to UNCLOS. Neither did they adopt a specific programme for the implementation of UNCLOS, with clear targets and timetable for their achievement. While providing a potentially global framework for action, UNCLOS (as it is today) is more a set of general guiding principles than a set of precise legally binding obligations which can be easily translated into action and applied in everyday life. Thus, even regular meetings of the Parties to UNCLOS could not provide for a fully meaningful global review and coordination in which intergovernmental organizations and major interest groups are allowed to participate.

Consequently, one of the key issues to be resolved is: how and by whom should the global ocean affairs be reviewed, guided and coordinated in the most satisfactory, efficient and comprehensive way?

The next important issue concerns the substantive programmes. The ocean-related programmes of the United Nations system are numerous, but are fragmented, sectoral, under funded and implemented without adequate coordination. The number of such programmes sponsored by organizations outside the United Nations system is growing and today they constitute an important and unavoidable complement to the programmes of United Nations Agencies. (....)

A major shortcoming of most programmes is that they have been planned and designed, and are being implemented, without noteworthy involvement of the perspective "end-users" of their results. Therefore, the programmes are relatively unknown in wider circles, to private sector, media and general public in particular, and consequently do not enjoy their support in any significant way.

Virtually all ocean-related programmes are grossly under funded, in particular those sponsored and managed by United Nations agencies. Resources provided by governments through the budgets of the agencies are the main source of funding for the programmes, although contributions in form of direct government support to their national institutions for participation in these programmes is gaining in importance. The latter approach, however, leaves the institutions in the developing countries at disadvantage due to relatively less generous government support, and is a hindrance for their full participation in global programmes.

Efforts and mechanisms for inter-agency coordination proved to be, in general, inadequate. The blame for such a state of affairs is to be shared between the secretariats of the United Nations agencies and the governments represented in their governing bodies.

In summary, the main issues related to ocean related programmes are: how to improve the efficiency of programmes by their better coordination, by making them more cross-sectoral, by involvement of prospective users of their results, and by more appropriate funding ?

The present structure of the United Nations system is ill suited for a coordinated implementation of ocean-related programmes in the framework of a comprehensive ocean policy. There is no central body (agency) in this system which could act as the focus for coordination and action. Due to historic and a variety of no less important other reasons, ocean-related programmes are today sponsored by a large number of agencies, frequently competing for the same piece of action. The resulting fragmented, sectoral, often overlapping, and poorly coordinated programmes considerably diminish their potentially synergistic overall effect and impact. This, in turn, leads to certain waste of scarce financial resources.

Attempts over the past decades to improve the coordination of existing and evolving ocean-related programmes, and thus the constructive interaction between the relevant agencies, met with only very partial success and there is no reason to believe that this situation will change, unless the need to coordination is "enforced" or solved in a more innovative way.

It is probably premature to claim that the most recent experiment to impose, by the mechanism designed through CSD, an effective coordinated approach to ocean affairs will end with the same result as did previous similar attempts. However, this approach follows the well trodden but worn-out unsuccessful path which deals with the problem in a least painful but only palliative way instead of striking at the very heart of the problem: the structural inadequacies of the United Nations system.

Of course, the coordination of the present system can be further improved(...) A long overdue "revolution" is needed to streamline the structures, mandates, programmes and operations of the relevant part of the United Nations System in order to make it responsive to the need of the twenty-first century.

Past timid half-hearted attempts in this direction were nipped in the bud. Governments, afraid that a serious audit of the issue may reveal too many unrecognized skeletons in the cupboard, usually preferred to keep the lid on this Pandora's box and grudgingly accepted to live with the present

situation which is, after all, their own creation. (....)

[The review would remain incomplete without mentioning problems at the national levels which are, and will continue to be, serious impediment for rational management of oceans in the best interest of mankind as a whole. Most countries lack a coherent integrated policy on marine affairs encompassing fisheries and aquaculture, exploitation of offshore resources, transport, defense, environment, coastal development, and other related subjects. The endogenous capabilities of many countries, especially the developing ones, are still generally insufficient to cope with the full complexity of the problems facing their marine and coastal environment and the rational management of their resources. The treatment of environmental issues in national legal systems and practices are frequently inadequately. The relevant national institutional structures are usually without clear mandates and the interdisciplinary expertise needed for effective action. This weakness of national structures also seriously hampers the effective participation of many countries in international efforts designed to protect and develop the marine and coastal environment. Moreover, the existing institutions and structures charged with the coordination of national environmental policies are in many cases too fragmented and deal with the problems as sectoral issues, rather than as part of a coherent national marine policy. They also usually lack adequate authority to regulate and enforce environmental policies, or to influence national economic strategies on which ultimately the protection and development of the marine and coastal environment depends. "

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