

UN/ECE

Europe Points the Way Toward WSSD

On 24/25 September 2001, the first of five Regional Ministerial Meetings in preparation for the World Summit on Sustainable Development (WSSD) took place in Geneva, Switzerland. Other Regional Preparatory Meetings on the ministerial level were to follow over the next two months for the Regions of Africa (15-18 October, Nairobi, Kenya), Latin America and the Caribbean (23-24 October, Rio de Janeiro, Brazil), West Asia (24-25 October, Cairo, Egypt) and Asia and the Pacific (27-29 November, Phnom Penh, Cambodia). The European Meeting was co-hosted by the United Nations Economic Commission for Europe (ECE) and the UN Environment Programme (UNEP). Its mandate according to the Commission on Sustainable Development (CSD) acting as Preparatory Committee for WSSD was to outline key policy issues, priorities and follow-up actions and to provide substantial inputs to the preparatory process for the Summit. As in other regions, a series of preparatory meetings had preceded the ministerial meeting, including a Regional Roundtable of Eminent Persons for Europe and North America at Vail, Colorado on 15-16 June, a Regional Rio+10 Assessment Conference for Central and Eastern European Countries in Bucharest, Romania on 27-28 June,¹ as well as a series of consultative meetings to draft a provisional version of a Ministerial Statement to be discussed and adopted at the Ministerial Meeting.

Of the 55 ECE Member States, whose geographic locations range from Europe to North America to Central Asia, State delegations of 51 Member States were present, including 22 Ministers and 15 Deputy Ministers. Representatives of bodies of the UN system and specialised agencies and various stakeholders, including the private sector, trade unions, indigenous peoples and non-governmental organisations (NGOs) were also present, bringing the total number of participants to over 600. Considering that the majority of Member States are developed countries and that this was the first Regional Meeting to take place, delegates were conscious of their special responsibility of setting a precedent for the other regions. In addition to considering the Draft Ministerial Statement, two interactive Panels were scheduled: one on "Governance and Sustainable Development" and the other on "Poverty and Sustainable Development."

Ambassador Harald Kreid (Austria), Chairman of ECE opened the meeting on Monday morning and called for a minute's silence for the victims of the terrorist attacks of 11 September. The provisional agenda was subsequently adopted. The Bureau and its Chair Joseph Deiss, Switzerland's Minister of Foreign Affairs, were elected by acclamation. ECE Executive Secretary Danuta Hübner, UNEP Executive Director Klaus Töpfer and Regional Roundtable Chair Sir Crispin Tickell, Chair of the International Insti-

tute for Sustainable Development (IISD), followed with their introductory statements.

Among other documents distributed during the meeting was an *Assessment of Progress on Sustainable Development since Rio 1992* (CEP/AC.12/3). This was jointly prepared by ECE and UNEP's Regional Office for Europe (with contributions from the UN Development Programme (UNDP)) and was to serve as a basis for discussions on the Ministerial Statement. The report concluded that since 1992 the region had experienced overall economic growth and made progress in environmental sustainability, but still faced high unemployment, social disparity, growing waste and build-up of chemicals. Eastern Europe had made great strides in catching up with Western economic standards, while Central Asian countries continued to grapple with underdevelopment, poverty and ill health with severe consequences for the environment.

Consideration of the Draft Ministerial Statement

Chair Deiss opened plenary discussion on the Draft Ministerial Statement. It was agreed that a drafting group should convene parallel to the Plenary in order to resolve the bracketed portions of the text left over from the consultative meetings.

As delegates went through the text, common understanding arose of the problems facing the region as well as the opportunities available within the region. Aware of their responsibility to the rest of the world, ECE delegations recognised the need for poverty eradication on a global scale and addressing the problem of overconsumption within their region. They agreed that technology advancement and increased economic activity should serve as the most important tools for alleviating the situation. The ECE already has an impressive number of regional and subregional conventions related to the environment in place, covering issues from air pollution to transboundary watercourses. However, the diversity of the region requires setting different short- and medium-term goals for implementation.

Belgian State Secretary of Energy and Sustainable Development Oliver Deleuze, speaking on behalf of the European Union (EU) emphasised the need for a renewed focus on achieving the Official Development Aid (ODA) target of 0.7 per cent of gross domestic product (GDP), as set forth in the Rio Declaration, and for a decoupling of economic growth from environmental degradation.

Dutch Minister of Housing, Spatial Planning and the Environment Jan Pronk, who recently had been designated as the UN Secretary-General's Special Envoy to WSSD, suggested that the Sustainable Development concept needs

to be refined in order to account for the human security dimension, as well as social and religious values. With regard to globalisation, he urged that measures should be put in place to ensure that it "does not run on its own." As the EU delegation did before, he brought up the proposal of striking a "global deal" at Johannesburg which addresses issues connected to trade, development aid, water supply, food security, habitat and poverty. The idea for a "global deal" was originally conceived by South Africa and led to contentious debate during the course of the proceedings. The Danish delegation, which is to hold the EU Presidency during the WSSD, was later to issue a non-paper on this subject.

A number of delegations expressed official condemnation of the events of 11 September, but stressed that the formulae for fostering sustainable development and increased international cooperation to be considered at Johannesburg should be aimed at eliminating poverty, exclusion and desperation which are the breeding grounds for fanaticism and terrorism.

Hendrik Vygen of Germany's Federal Environment Ministry called for the inclusion of energy efficiency and renewable energy sources into the Statement. He also drew attention to issues related to the safe supply of water and noted that his government would be hosting an International Conference on Freshwater to be held at Bonn, Germany from 3 to 7 December, 2001.² Other speakers urged action to halt the loss of biodiversity and to protect fragile ecosystems, including mountains and coastal areas. A proposal was made that the UN Intergovernmental Forum on Forests should develop an international framework for sustainable forest management. Early ratification of the Kyoto Protocol was also called for.

A spokesperson for the Saami Council, which represents the Saami people living in Norway, Finland, Sweden and the Russian Federation, highlighted the problems of the Arctic region. The threat of climate change weighs heavily and is already having measurable effects on the weather conditions and local wildlife populations. Chemical contaminants released thousands of kilometres away are appearing in human and wildlife communities at alarmingly high levels. Since the Arctic region will be on the WSSD agenda, she appealed to delegates to include more specific provisions in the Ministerial Statement, such as reference to the rights of indigenous peoples of the Arctic and speeding up the ratification and implementation of the Stockholm Convention on Persistent Organic Pollutants (POPs).³

During the series of country statements and during the drafting groups discussions, the divergence of positions soon became evident, with the main dividing line running between the European Union and the United States with

Switzerland and Canada acting as mediators in the search for common ground. The US blocked the inclusion of progressive proposals such as on the "precautionary principle" or "approach" and the "ecological footprint." For example, the EU sought reference of the "precaution" principle as included in multilateral environmental agreements (MEAs). The US delegation, however, was against mentioning "precaution" in the Ministerial Statement, as it did not wish to see it on the agenda of the WSSD. Switzerland intervened by suggesting the proposal should read that the ECE seeks to merely "address" the issue at WSSD, paving the way for preliminary discussions at Johannesburg. As for the "ecological footprint," a concept intended to measure human impact on nature, the EU spoke in favour of adding the phrase with reference to the special responsibility the region carries in reducing the unsustainable extraction of natural resources and changing its consumption patterns. It is thought that the measure could one day be used to determine the level of development aid a given country is to contribute or receive. The US succeeded in deferring the issue until there was more international agreement on a working definition.

Calls were also made for stronger application of the "polluter-pays principle" and the development of effective procedures and mechanisms for preventing and resolving transboundary environmental disputes. In this context, many speakers anticipated the conclusion of talks on civil liability protocols to the UN/ECE Conventions dealing with water and industrial accidents.

The economies in transition (EITs) and Newly Independent States (NIS) of Eastern Europe and Western Asia drew attention to their needs. The Former Republic of Macedonia (FYROM) said that the Statement should account for the differing stages of economic development in the region and give special consideration to countries experiencing civil strife. Latvia stated that, besides offering the potential for increased regional cooperation, joining the EU would ease its economic transition, as well as its adaptation to environment and sustainable development policies. He also called for more emphasis on technology transfer and capacity building. Delegates concurred that EU enlargement offers the opportunity for

EITs to leapfrog into environmental governance, but an official from the European Commission later pointed out that the EU has to do much more to put its own house in order.

After Executive Director Hübner had reported on the follow-up to the High-Level Meeting on Transport, Environment and Health contained in document ECE/AC.21/2001/4, the Panels were commenced. A few delegates commented in private that the Panels are in reality meant as a "filler" to pass time while the drafting group was meet-



Hendrik Vygen, Department for International Cooperation, Federal Environment Ministry of Germany

Courtesy: IISD

ing. Most high-level representatives, as far as their presence was not required at the Panels, opted to take part in the drafting group discussions.

Panel I: Governance and Sustainable Development

Panel I was chaired by Svend Auken, Danish Minister of Environment and Energy, who emphasised that good governance is a key component of sustainable development. He noted the current discussions on international environmental governance (see page 266) and drew special attention to the Aarhus Convention on Access to Information, Participation in Decision-making and Access to Justice in Environmental Matters, which was due to enter into force the following month (see page 309), as a model for other regions to follow.



Svend Auken, Danish Minister of the Environment

Courtesy: IISD

Olivier Deleuze stressed that sustainable development requires a horizontal approach by governments, and showcased the Belgian Federal Council for Sustainable Development which formulates integrated approaches to sustainable development across all national policy sectors.

In view of the terrorist attacks of 11 September, Under-Secretary of State for Global Affairs, Paula Dobrianski (USA), reassured participants that the US would not decrease its international commitments, and listed its views of what good governance entails. In summary, panellists agreed that the definition of good governance includes “a system based on democracy, freedom, trust, efficient and fair institutional arrangements, informed and science-based decision-making, coordination and partnerships, reliable rights for citizens, adequate participation of civil society, transparency of the decision-making process, access to justice, and enforcement of environmental laws and regulations.” It was noted that many East European and West Asian countries across the region had made great progress in establishing democratic institutions, but in view of the Aarhus Convention public participation is in need of improvement. The delegation leader of Kazakhstan pointed out that civil society groupings have only recently emerged in NIS and have been strengthened through the Rio process.

Deputy Minister Nicolae Stratan (Moldavia) emphasised that especially smaller countries such as his stand to benefit from more regional cooperation, as their bureaucracies lack the necessary resources for developing and

implementing sustainable development initiatives. Ilona Boda (Hungary) suggested the use of indicators of sustainable development in order to aid governments in developing short- and medium-term strategies for sustainable development.

Some speakers emphasised that sustainable development requires common language across all sectors of government, while others insisted it is a matter of culture and is the normal way a society produces and consumes. In any event, governments have a special role to play in creating consensus and ensuring integrated decision-making. Partnerships with civil society and business are important to ensure transparency and accountability of governments and to ensure effective management of natural resources respectively.

Yves Cochet, Environment Minister of France, hailed the Johannesburg Summit as an opportunity to address the areas where the Rio process has failed and start over by launching a new “global deal” between governments and stakeholders. The panel outlined among the possible goals for such an agreement, the following:

- Emphasising eco-efficiency;
- Setting measurable targets for reducing the exploitation of natural resources;
- Integrating environment and poverty eradication, i.e. through ensuring availability of drinking water and sustainable energy;
- Reorienting the globalisation process through new regulations;
- Improving governance at the national level.

Panel II: Poverty and Sustainable Development

Minister Pronk chaired Panel II whose topic was “Poverty and Sustainable Development.” It addressed the issue of environment-related reasons for poverty, such as air pollution, soil degradation, scarce and contaminated supplies of water, which result in higher mortality rates and spread of disease. War and violent conflict are other significant factors preventing economic development and contributing to the rise of poverty. The problem is exacerbated by the high number of refugees fleeing from conflicts that inadvertently worsen environmental degradation and put undue stress on sanitary conditions. Michael Meacher, Environment Minister of the United Kingdom, said that it would be more cost-effective for the international community to seek to alleviate the underlying causes for social upheaval and help to prevent possible cross-boundary conflict, instead of dealing with the aftermath of such conflicts and the ensuing environmental degradation.

Strategies for the sustainable management of natural resources are required which stimulate economic and social development and ensure availability of resources for future generations. Water was identified as one of the single most important resources, with a need for improved sustainable usage. One delegate referred to regional framework conventions and the upcoming International Conference on Freshwater.

The Ukrainian Environment Minister, Serhii Kurykin,

highlighted the problems faced by former Communist states in the region that are still coping with the transition from one economic system to another. He stated that the unsustainable exploitation of natural resources, as practised during the Soviet era, still continues while the gap between the affluent and the impoverished is widening. Karine Danielyan, a representative of an Armenian NGO, in describing the situation in her country went a step further by claiming that privatisation has led to inequality, corruption and polarisation of society. More foreign direct investment (FDI) should flow to these countries in order to stop this trend.

Michael Meacher added that "in an interdependent world it is in the interest of no one to keep poor countries permanently indebted." Further suggestions pertaining to the raising of public funds were making debt relief conditional on the level of spending on social and environmental policies, debt-for-nature swaps and a global tax on CO₂ emissions. A renewed emphasis on meeting the agreed target of 0.7 per cent of GDP and support for developing a framework strategy with the target of reducing poverty by 50 per cent by the year 2050 were also proposed. Richard Hayworth, Acting Deputy Minister of Natural Resources (Canada) cited domestic regulations that seek to ensure that firms based in Canada should adhere to the same environmental regulations abroad. A proposal was formulated according to which guidelines for Multinational Corporations (MNCs) should be introduced on the international as well as the regional level.

The prospect for a "global deal" between donor and recipient countries to be concluded at Johannesburg was also raised during this Panel. Some speakers referred to the term "global compact," but it was pointed out that there is already an initiative by the UN Secretary-General of the same name, which is a worldwide call upon companies to embrace universal principles in the areas of human rights, labour standards and the environment.⁴ Jan Pronk urged developed countries to help developing countries within and outside the region to escape from the "vicious cycle of unsustainable development and poverty" and emphasised that any sort of "global deal" can only be struck by governments, not by businesses and NGOs. Governments thus should not be given an excuse to shy away from their responsibilities. It should be their task to act as facilitators in order to actively involve the private sector and NGOs.

The Ministerial Statement to the World Summit on Sustainable Development

Negotiations on the final text for the Ministerial Statement to the World Summit on Sustainable Development⁵ had meanwhile continued in public, sometimes in closed sessions late into Monday night and parallel to the second Panel discussion on Tuesday morning. The last finishing touches were put to the document during a prolonged break between the Panel and the final Plenary session, which commenced in the late afternoon. Requiring no further lengthy discussion, the statement was adopted by acclamation. Francesco La Camera (Italy), who had chaired the previous Consultative Meetings and offered guidance

to the drafting group, was commended by many delegates for having contributed to its successful conclusion.

Reaffirming that the ECE region "has a major role to play and responsibilities in global efforts to achieve sustainable development by concrete action," the preamble notes support for the WSSD and calls for attendance and representation at the highest political level. The Statement is divided into three parts: 1. The Summit: Priority Actions on Global Challenges; 2. Priority Actions for the ECE Region; and 3. Review of Action.

The first section on priority actions on global challenges addresses six areas: a) poverty eradication; b) sustainable management and conservation of the natural resource base; c) making globalisation work for sustainable development; d) improving governance and democratic processes at all levels; e) financing sustainable development; and f) education, science and technology for decision-making. Welcoming the Regional Assessment report, the second section lists priority actions for the ECE region. The third part on Review of Progress is limited to only one paragraph, stipulating that the Summit should address the future review of progress on sustainable development at the regional level. The ECE confirms its intention to review the implementation of regional priority actions no later than 2011. Indicators for sustainable development, as currently being considered by the UN CSD,⁶ could be used in this regard.

The results of this and other Regional Meetings will be presented to the Second Meeting of the Tenth Session of the Commission on Sustainable Development (CSD-10) acting as the Preparatory Committee for the WSSD, to take place in New York from 28 January to 8 February 2002.

Many representatives, especially those of the EU and NGOs, felt that the more progressive provisions of the Statement were watered down. The EU in its ambition to act as champion of sustainable development had launched many initiatives that were adopted mostly in form but lacked substance. The NIS had attempted to draw attention to the traditional issues of the North-South debate, but despite being a large faction had had limited success in influencing the deliberations.

Unable to agree on a clear definition of a "global deal," a number of ECE Member States refused to underwrite the proposal. The final text only notes "the wish of the [EU] and other countries to seek to achieve a 'global deal.'" Perhaps it is better to wait and see how the other regions will react to this idea so that the combined views can be discussed in the international preparatory process for WSSD. Yet, the EU achieved a small victory in relation to the "precautionary principle" in that the final text of the Ministerial Statement notes it as a concept underlying "a number of relevant [MEAs]" and not just environmental instruments. Thus, one has come a step closer to acknowledging "precaution" as a principle of international law. On the other hand, references to the ecological footprint were dropped entirely. Instead the preamble contains the pledge that the ECE "will take measures to develop objectives that could include specific goals and targets to confront negative environmental, economic and social

impacts of its present development inside and outside the region.”

However, it is feared that the US could succeed in watering down the outcome of further Regional Preparatory Meetings as it is a member of two further UN Regional Commissions, the Economic Commission for Latin America and the Caribbean (ECLAC) and the Economic and Social Commission for Asia and the Pacific (ESCAP), which, in cooperation with the respective UNEP Regional Offices, are organising the Regional Prep Coms for these regions.

As delegates could not agree on specific prescriptions for raising more funds for development aid and foreign investment, such as efforts to reinforce the ODA targets as set forth in the Rio Declaration, the section on Financing for Sustainable Development leaves it to the International Conference on Financing for Sustainable Development, to be held in Monterrey, Mexico from 18 to 22 March 2002,⁷ to work out concrete proposals. Ambassador Beat Nobs, Head of International Affairs Division, Swiss

Agency for the Environment, Forests and Landscape, commented that the ECE Statement should have sent a more positive message in this regard. As he noted during the Panel discussions, Johannesburg will result in failure, if new funds cannot be generated for the sustainable development process. (MAB)

Notes

1 For a complete update on regional preparations of Europe and North America as well as other regions, please consult <http://www.johannesburgsummit.org>.

2 More details on the Conference are available at <http://www.water-2001.de>.

3 See *Environmental Policy and Law*, Vol. 31 (4-5) 2001, p. 200.

4 For more information on this initiative, please consult <http://www.unglobalcompact.org>.

5 The Ministerial Statement as contained in the Report of the UNECE Regional Ministerial Meeting, along with the Chair's Summary (ECE/AC.22/2001/2) is available at <http://www.unece.org/env/rio+10>. The Ministerial Statement is also to be published in *International Protection of the Environment: Conservation in Sustainable Development*, Oceana, Dobbs Ferry, New York.

6 See *Environmental Policy and Law*, Vol. 31 (2) 2001, p. 80.

7 For more information on the preparations leading up to this Conference, please consult <http://www.un.org/esa/ffd>.

