

# eco

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Brackets  
Issue

JOHANNESBURG SUMMIT PREPCOMM 4 \* BALI, INDONESIA \* NGO NEWSLETTER

## BRING YOUR BRACKETS TO JOHANNESBURG!

Remember Rio?

During the Rio preparatory process, *Bush I* was saying that he would not come to Rio. But finally, he turned up at the last minute, and signed.

How did this happen?

Very simple: the European Union, the G77 and the Eastern European countries who were emerging at the time, exerted very strong political pressure. So strong that President *Bush I* could not handle it anymore.

This week in Bali is the final opportunity to make *Bush II* and his friends cave in at Johannesburg. How can this happen?

The text under negotiation contains some options (square bracketed text) that are meaningful, and are being opposed by the United States and their Canadian and Australian friends, and the Saudis. Do not rush. If you can reach agreement on some of that text, fine. But if you don't, do not cave in. Bring your brackets to Joburg! Don't panic. No deal in Bali is better than a bad deal. Rushing things through here in Bali can only benefit the US-led coalition.

If the right bracketed language makes it to Joburg, advocacy NGOs will campaign on it. We have 48 days left before Joburg starts. In the corridors, many delegates are off-the-record asking for NGO support. We can support Joburg only if we have something to campaign for at the end of this week!

It is not too late. Taking account of last week's developments, the ECO coalition has identified 11 key test cases for Johannesburg. Eleven make-or-break issues that will be the litmus test for whether Joburg will be a success, or will just be a waste of time and resources. This issue of ECO contains our Type 1 proposals for

Consumption and Production, Energy, Water, Biodiversity, Agriculture, SIDS, Africa, Trade and Environment, Subsidies, Corporate Accountability, and Public Participation. With the current state of play, with all these issues, it is still possible to make steps in the right direction in Joburg. We are not asking you to resolve everything this week. We are asking you to keep the right options on the table.

### 1. Consumption and Production

Goal: Governments must develop and implement a ten year work programme on sustainable consumption and production patterns including targets and indicators.

Implementation: This programme needs to be regularly monitored, assessed and reported on, including intergovernmental and partnership initiatives. We insist that governments commit to decouple economic growth from environmental degradation in order to reverse the current trends in the loss of natural resources and secure an overall reduction in pollution and waste within the timespan of the work programme. Consumers have rights. These rights are defined in the UN Guidelines for Consumer Production. We insist that governments recommit to these Guidelines, especially Section G.

### 2. Energy

Goal: The global aim of the energy action programme should be to halve the number of people without access to clean and affordable energy services by 2015 as a contribution towards the Millennium Development Goals, including halving the number of people in extreme poverty by 2015.

Implementation: There should be at least three elements of an action programme for

## Don't Let Type 2s Hijack the Summit

The message starts getting through: an increasing number of delegates agree that (even if a solid set of criteria is adopted for Type 2 outcomes), the rule must be that all Type 2 outcomes are attached to a relevant Type 1 outcome or agreement.

UN officials also appear to be getting the message across.

One useful suggestion that was also made last week is that no Type 2 initiatives should be undertaken when they involve governments or administrations of countries who have not ratified the multilateral agreements that are relevant to the issue the proposal is meant to address. You want to present or sponsor a partnership on Energy? Ratify the Kyoto Protocol first! On forests? Ratify the CBD, then we'll talk. Agriculture and food safety? Let's talk of the upcoming outcomes of the Food Summit, and please ratify the Biosafety Protocol. Education? Fine, but ratify the Convention on the Protection of the Child. You want to provide funds for partnership? Thank you very much, but first comes first: meet your ODA target, support the GEF replenishment process, and stop saying that the Kyoto Protocol is too expensive for your economy.

## Right to Protest!

NGOs are concerned about the suppression of peaceful protest in Nusa Dua. Last Saturday, a peaceful rally was not allowed to march to the UN compound. NGOs thank the UN for making it clear, that they consider this form of public expression a normal part of negotiations. We also reaffirm our common commitment to peaceful protest, which is an important democratic right. We call on governments to ensure that rallies remain possible throughout the second week of PrepCom IV.

clean and affordable energy: A programme on International Financial Institutions/Export Credit Agencies should remove technological barriers to clean and affordable energy, prioritize innovative financing for smaller projects and local intermediaries, and ensure public participation in the development of market rules. A programme on renewables should agree a global renewables target which raises the share of new renewables to 10% by 2010. New renewables is defined as modern biomass, geothermal, wind, solar energy, small hydropower and marine energy. ODA funding to renewables should be increased and institutional and industrial capacity building secured. The third element of the action programme is to eliminate the \$250-300 billion in annual subsidies to the fossil fuel and nuclear industries, redirecting them towards pro-poor subsidies to ensure access to affordable energy, and to targeted, time-bound 'smart' subsidies to help grow renewable energy industries and markets.

Some of these elements are reflected in the text but are heavily bracketed.

### **3. Water**

Goal: Provision of adequate water and sanitation are clearly prerequisites for the eradication of poverty, these goals must be undertaken with respect for the other environmental goods and services provided by ecosystems. Countries must commit to:

- Launch a programme of action with financial and technical assistance to achieve the Millennium Declaration goal to halve by the year 2015 the proportion of people who are unable to reach or afford safe drinking water.
- Agree on a similar target for the provision of sanitation – halve by 2015 the proportion of people lacking access to improved sanitation while sensitive to the needs of the poor, and protecting the environment and launch a programme of action to achieve it
- Confirm that freshwater management (including sanitation) is best undertaken through Integrated River Basin Management (IRBM) and put in place targets and timetables for the establishment of river basin management plans at national, regional and international scales. Develop and implement a global programme of IRBM by 2012 with priority given to shared waters.
- Commitment to priority actions, together with all stakeholders, to ensure suitable water governance regimes, and capacity building, at all levels.
- Provision of new and additional financial resources and innovative technologies whilst making full use of existing resources.

### **4. Biodiversity**

Goal: Conservation, rehabilitation and restoration of biodiversity, ecosystems and natural resources for the benefit of the world's people and the environment.

Implementation: Governments must commit to protecting forests and to financial resources to ensure that this happens. Commitment is also needed on the rehabilitation and restoration of forest landscapes and watersheds through national and regional programmes by 2005 and a joint CBD UNFCCC and CCD work programme on land rehabilitation and restoration by 2003.

Governments must agree to apply the precautionary principle in fisheries management rather than emphasize maximum sustainable yield. It must respect the rights and interests of small-scale, subsistence and indigenous fishers. It must establish extensive networks of marine reserves on the high seas and within EEZs. It must include a work programme to eliminate unsustainable aquaculture, particularly in shrimp aquaculture. The commitments made at COP6 of the CBD should be fully endorsed at the WSSD and integrated into the Implementation text.

### **5. Agriculture**

Goal: Governments must create an action programme to promote – consistent with the call for an increase in public financing of agriculture – the dissemination and use of existing and proven farm-based agricultural technologies, prioritising organic agricultural practices. Relatedly, we call on governments to adopt paragraph 87 (and strike 87(alt)), to complement good practice with markets and consumer confidence in organic produce.

On sustainable development grounds, governments should exempt from patentability genetic resources and life forms for food and agriculture. On the basis of the precautionary principle, governments should further prevent the commercialization of genetically modified organisms in food and agriculture in light of risks and proven alternatives.

Under paragraph 36(m), we call for the conference to remove brackets and adopt target dates as well as promote the adoption by the WTO Agreement on Agriculture of a "Development Box" to protect the food and income security of poor producers.

Concerning paragraph 36(o), we call for the removal of this text, which has little to do with agricultural policy, notwithstanding the importance of this issue for certain countries on other grounds.

Under 37(f), brackets should be removed, making land degradation a focal area of the GEF in support of the UNCCD.

### **6. SIDS**

Goal: Small Island Developing States (SIDS) be recognised as a special case both for the environment and for development due to specific physical circumstances.

Implementation: The agreed text in the SIDS chapter must be retained in the final Johannesburg plan of action.

With regards to the remaining bracketed text:

- Norway and Iceland should not seek to include commercial whaling in this text under the guise of "sustainable use of living resources";
- The Convention on the Conservation and Management of Highly Migratory Fish stocks in the Western and Central Pacific Ocean must be supported in the text. All the Pacific range states fully support this treaty and Japan and Korea must withdraw their brackets.

And the way forward from here is:

- (i) Governments that have acknowledged SIDS specific needs should support the implementation of initiatives to achieve sustainable development as reflected in the chairman's text.
- (ii) Governments attend an international meeting for a comprehensive review of the Barbados Programme of Action in 2004.

## 7. Africa

Africa surely deserves special intention in the WSSD process and more generally. While we welcome the intent behind the Africa section of the Chairman's text and the NEPAD proposal put forward by African governments, we share the concerns of African civil society over the process and content that has led to NEPAD in its current form. Countries must consult broadly with all stakeholders, rather than in the top-down process that has occurred thus far.

## 8. Trade and Environment

Goal: End the subordination of the sustainable development agenda to the liberalisation agenda.

Implementation: In 1992, governments agreed that global economic development needed to change course towards sustainable development, but the design of the current global trading system has made that impossible. Governments have used the IMF, World Bank, WTO and other international economic institutions, to implement trade liberalisation, clearly undermining poverty alleviation and the conservation of the environment. The underlying presumption is that trade liberalisation is compatible with sustainable development. However, as countless cases from the environment and poverty fields attest, this assumption is deeply flawed and must be changed if governments are serious about sustainable development. Heads of Government through the WSSD process must establish the primacy of sustainable development principles over the trade regime and ensure that international economic institutions support this objective. Governments must affirm the authority and autonomy of multilateral environmental agreements (MEAs) and clarify that the objectives, principles, and provisions of MEAs must not be subordinated to WTO rules.

Textual Suggestions:

Remove paragraphs that suggest that liberalisation as currently practiced leads to sustainable development, such as 43 (alt) and 82 (alt2).

## 9. Subsidies

Goal: Eliminate environmentally harmful subsidies, extending transitional assistance to developing countries.

While rushing headlong to liberalise in many sectors, the EU's enthusiasm for this agenda peters out when it comes to the elimination of environmentally harmful subsidies. Although committing, along with the US and Canada, to the 'removal' of environmentally harmful subsidies (at the ECE Regional Preparatory meeting last September) the EU has reneged on this undertaking – now preferring to merely suggest the 'reforming of subsidies that have considerable negative effects on the environment.' We eagerly await the extension of this *volte face* to other areas of their liberalisation agenda.

Text: 86 (b). Replace current text with:

Reduce, with the view of eliminating, subsidies harmful to the environment or deleterious to poverty eradication efforts, or both. Beginning in 2003, eliminate these subsidies in developed countries, and provide technical and financial assistance to developing countries in order to achieve the same ends.

## 10. Corporate Accountability

Goal: To develop a framework that secures corporate accountability and liability by 2005.

Implementation: Such a framework must be consistent with principle 13 (liability), 14 (double standard), 15 (precautionary principle) and 16 (polluter pays principles) of the Rio Declaration,  
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tion; with ILO conventions; and with multilateral environmental and social agreements. Such a framework must secure rights for communities and citizens; transparency; right to know; compensation; remediation; and direct liability for social and environmental impacts. It must secure duties for corporations on reporting, and take account of social and environmental matters; with consistent monitoring and verification of practices. The framework must be enforceable and not consist solely of voluntary and self-regulation initiatives.

In the current text: amend 43(l) to read: Develop a framework that secures corporate responsibility and liability by 2005.

## 11. Public Participation

Goal: Countries must adopt appropriate laws and regulations to guarantee citizens' rights to access to information, participation and justice in decision-making at national, regional and international levels.

Preparation for the Summit has created a lot of expectations in terms of the role of civil society organizations as legitimate participants. Therefore it is surprising to observe the weak wording in paragraphs 155 and 156 about participation of major groups. This will not remove the most serious obstacles for civil society in the many countries which have made inadequate progress on principle 10 since 1992.

Ministers, like all of us, you are tired of travelling so much. Like us, you also hope that the time spent in meetings is worthwhile. In this regard, the text before us is not convincing, to say the least. Take paragraph 40 for example. The goal of halting biodiversity loss by 2010 that those of you representing Parties to the Convention on Biological Diversity have adopted as recently as little more than a month ago, is now in square brackets. Or, look in paragraph 86. Some brackets around language on subsidies throw additional doubt as to the real political will of some countries to implement the Doha Declaration in good faith and for the benefit of developing countries.

Ministers, we hope you have had a good trip to Bali. But remember that the journey to Johannesburg is only beginning!

## Indonesian Renewable Target: 5 percent by 2010

The tides have slightly reversed on the Balinese beaches — at least at the Melia when Indonesia finally announced its national renewable energy target of 5 percent by 2010. On Friday, the Indonesian Department of Energy and Mineral Resources announced this target at a half-day parallel event entitled "Green Energy Program: A Strategy to Achieve Sustainable Development". The target includes geothermal, solar, wind, biomass, and mini- and micro-hydro. It apparently excludes large hydro.

This statement puts Indonesia at odds with the negotiating position of the G77 and China as represented by Iran. Iran is supposedly working on behalf of the G77 but has been too much dominated by OPEC. This, in fact, may reveal some of the causes of Thursday's breakdown of the Contact Group on Energy. The Contact Group meeting was cancelled, apparently due to outstanding disagreements within the G77 on the very issue of targets and timetables. Through the late night sessions Thursday and into

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## Bali Hai

Bali Hai heard a rumour that the FBI will deport the entire US delegation to Guantanamo Bay Detention Center at the conclusion of PrepCom IV, to be charged with fraternising with the 'Axis of Evil' in the Contact Group on Energy. After a predictable speech defending the inclusion of language about promoting fossil fuel use, the Iranian delegate looked across the table at the US delegate and gave him a broad wink. Bali Hai overheard an undercover Fed placing a large order for orange uniforms for next weekend.

Bali Hai has noticed that the first nine pages of Chapter IX of the latest draft of the chairman's text is almost all in bold brackets – if Chairman Salim follows through on his threat to delete all bracketed text, then the implementation section of the Implementation Conference will be blank!

### Notable Quotes:

"The Bush Administration sees such partnerships (type II agreements) as well as programs that encourage developing countries to improve their administrative, regulatory and legal institutions, as alternatives to traditional foreign aid programs" – Paula Dobriansky, Undersecretary of State for Global Affairs, at the European Institute in Washington DC last Thursday. Bali Hai would like to remind Mr. Bush that Monterrey was about Finance for Development, not increasing market access for US based multinational corporations.

"We are extremely elated by the situation we find ourselves in today in the energy area". So said a US delegate to the Indonesian People's Forum on Friday... we bet they are... and so are Australia, Canada, Japan and the most of the OPEC countries. At the same session the US delegate said "We take our commitments very seriously." Bali Hai must be living in a parallel universe. What about George W. Bush's promise to European Heads of State/Heads of Government one year ago that the US would not obstruct other countries from moving ahead with ratification and implementation of the Kyoto Protocol?

*-Indonesian Renewable...  
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the wee hours of Friday morning, Iran remained insistent that targets and timetables were unacceptable to the G77. Friday's announcement by Indonesia demonstrates that even among OPEC members, there is no common position on this, let alone within the G77. ECO welcomes the renewables target of the host of PrepCom IV and for showing leadership in this matter.

Indonesia's energy policy is pretty comprehensive. Championed by the Indonesian Renewable Energy Society, along with time-bound targets, the policy aims to decrease national energy intensity, increase public awareness on energy efficiency, increase the reliability of renewable energy technologies, and increase local content of energy technologies. A multi-stakeholder network of green energy organizations has been formed.

Now we shall see. After this striking move outside the negotiating rooms, will Indonesia speak publicly in the negotiations for renewables and urge others in the G-77 to do the same? We hope so.

## International NGO Press Conference

Today

**11:30 AM at Media Center**

**B I C C**

Speakers from

Greenpeace

Friends of the Earth International

Oxfam International

World Wide Fund for Nature

Eco-Equity is a publication of Consumers International, the Danish 92 Group, Friends of the Earth International, Fundacion Natura, Greenpeace International, Indonesian People's Forum, Northern Alliance for Sustainability, Oxfam International, Pelangi, and the World Wide Fund for Nature.

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