

Originally Processed With FOIA(s):
2017-0310-F

FOIA Number:
2017-0310-F

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Domestic Policy Council
Series: Schulteiss, Dean, Files
Subseries: Subject Files

OA/ID Number: CF00553
Folder ID Number: CF00553-002

Folder Title:
Climate Change [1]

Stack:	Row:	Section:	Shelf:	Position:
V	7	10	4	3

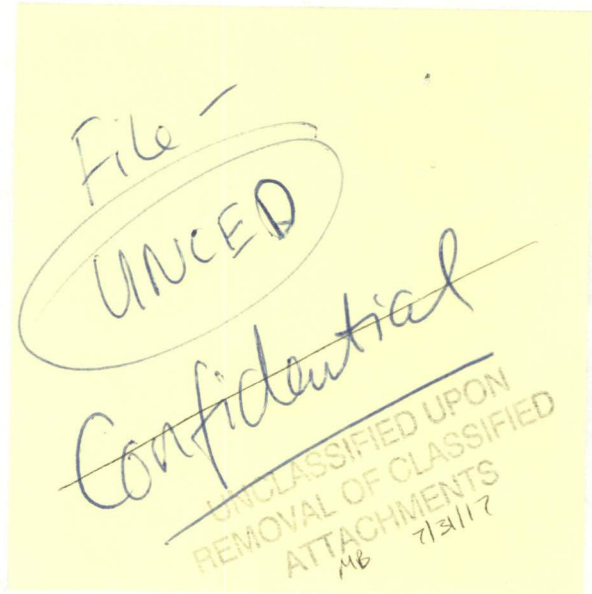
Background papers on GEF

Tasked to State:

1. Montreal Protocol Fund
 - structure
 - assessment
2. UNCED
 - state of play
 - G-77 proposal
 - donor country positions
3. Climate Change negotiations
 - proposals
 - G-77
 - donor countries
4. Assessment of GEF
 - responsiveness to donor concerns
 - transparency of process
 - participation of recipient countries
 - participation of NGOs
5. Assessment of Bank use of STAP, UNEP and UNDP.
6. AID:
 - how is parallel financing working?
 - how do they see their relationship to other conventions?
7. Compilation and review of governance and sub-governance procedures.

Not tasked:

8. Relationship of GEF to international environment conventions:
 - Montreal Protocol
 - Climate Change
 - Forests
 - Biological Diversity
9. Overall Bank approach to sustainable development/integration of environmental objectives into country development strategies.



1992 UN CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT (UNCED)

I. Background

- The 1992 United Nations Conference on Environment and Development (UNCED) will mark the twentieth anniversary of the landmark Stockholm Conference on the Human Environment.
 - The Stockholm Conference issued a declaration of principles that continue to guide our approach to environmental protection today.
 - The U.S. was a primary sponsor of the Stockholm Conference and played a pivotal role in its success.
 - Many, especially NGOs, look to us to play the same role in UNCED.
- UNCED has a broad mandate to set the international environmental agenda into the next century and to develop means for integrating environmental objectives and economic development
 - It is to address the full range of specific environmental issues, as well as cross-cutting issues (e.g. access to information, legal mechanisms, technology transfer and financial assistance).
- It will be held in June, 1992 in Rio de Janeiro.
 - There will be four Preparatory Committee (PrepCom) sessions.
 - The Secretary General of the Conference is Maurice Strong (Canada) and the chairman of the Preparatory Committee is Ambassador Tommy Koh (Singapore).
- The PrepCom has three working groups:
 - Working Group I:
 - atmosphere (climate change, depletion of the ozone layer, transboundary air pollution)
 - land resources (deforestation, desertification, drought)
 - biological diversity
 - biotechnology
 - Working Group II:
 - oceans, seas and coastal areas, including their living resources
 - fresh water resources
 - wastes and toxic chemicals.
 - Working Group III:
 - legal and institutional issues

DRAFT

FUNDING FOR GLOBAL ENVIRONMENT FACILITY

1. NEXT STEPS

- SECRETARY BRADY TO ANNOUNCE U.S. CONTRIBUTION TO CORE FUND OF THE GEF (ANNUAL MEETING SPEECH IN BANGKOK OCTOBER 15) AND PROPOSE:
 - REVISIONS IN GOVERNANCE TO PROVIDE FOR INTEGRATED RELATIONSHIP WITH INTERNATIONAL CONVENTIONS
 - EXPANDED ROLE AS COORDINATING MECHANISM FOR BILATERAL AND MULTILATERAL PROGRAMS TO ADDRESS GLOBAL ENVIRONMENTAL ISSUES
 - PARALLEL FUNDING ARRANGEMENTS FOR OTHER DONORS BASED ON U.S. MODEL TO PROVIDE ADDITIONAL RESOURCES AND ENHANCE COORDINATION ROLE
- CONSULT WITH G-7 COUNTERPARTS IN ADVANCE (CABLE AND INFORMAL MEETING IN BANGKOK OCTOBER 12).
- TRANSFER DISCUSSION OF FUNDING MECHANISM TO FINANCE MINISTRIES; TAKE UP DISCUSSIONS AT DECEMBER 4-5 MEETING OF GEF CONTRIBUTORS.

2. FUNDING

AGREE TO \$50 MILLION FOR U.S. CONTRIBUTION TO CORE FUND/\$50 MILLION IN PARALLEL FINANCING THROUGH AID (i.e. ACCEPT CURRENT OBEY LANGUAGE)

- (a) Over three years translates into U.S. contribution of \$300 million; presumably all or part of \$150 million in parallel financing would have been made available in any event as part of AID's regular budget for global environmental issues.
- (b) Puts pressure on Japanese to make full contribution to the core fund; puts pressure on other contributors to provide additional support in parallel financing through bilateral assistance programs (some of this support may turn out to be additional depending on the specific amounts other donors have already planned for this purpose).

- (c) Could conceivably double the overall amount available to the GEF from approximately \$1.4 billion to \$2.8 billion; creates bigger number for presentation purposes in developing countries.
- (d) Puts U.S. in leadership position on this issue; should increase U.S. leverage where it may be needed on other GEF issues such as governance and work program provisions.

3. RELATIONSHIP WITH INTERNATIONAL CONVENTIONS

GEF TO ACT AS GLOBAL REPOSITORY FOR FUNDS TO ADDRESS GLOBAL ENVIRONMENTAL ISSUES INCLUDING THOSE THAT MAY BECOME AVAILABLE AS A RESULT OF INTERNATIONAL CONVENTIONS ON BIOLOGICAL DIVERSITY, FORESTS AND CLIMATE CHANGE, ETC. GEF WILL CONTINUE AS A SEPARATE TRUST FUND AND BE LOCATED WITHIN THE WORLD BANK GROUP UNDER THE DIRECTION OF THE BOARD OF EXECUTIVE DIRECTORS BASED ON DECISION-MAKING PROCEDURES TO BE ADOPTED. UNDP AND UNEP REPRESENTATIVES PARTICIPATE IN MEETINGS AND ARE REPRESENTED THROUGH THE CHAIRMAN. GOVERNING ENTITIES OF INTERNATIONAL CONVENTIONS TO RETAIN THEIR OWN ANALYTICAL RESPONSIBILITIES AND TO REFER ALL FUNDING RECOMMENDATIONS TO THE GEF.

4. COORDINATION

EXPAND MANDATE OF GEF TO INCLUDE COORDINATION SERVICES FOR ECONOMIC ASSISTANCE AND OTHER BILATERAL AND MULTILATERAL PROGRAMS THAT SEEK TO ADDRESS GLOBAL ENVIRONMENTAL ISSUES; ESTABLISH CONSULTATIVE PROCEDURES FOR THESE COORDINATION PURPOSES.

- (a) Adds new element and more weight to GEF package; should provide greater structure and sense of common purpose to bilateral assistance efforts in this area.
- (b) Could be particularly useful to smaller bilateral assistance programs that have modest resources for global environmental purposes and a limited field presence in developing countries.
- (c) Could serve as an inducement to elicit additional bilateral assistance contributions from smaller donors for specific purposes.

5. GOVERNANCE

PLACE MECHANISM FOR GOVERNANCE OF GEF WITHIN THE WORLD BANK GROUP WITH PROVISION FOR BOARD OF EXECUTIVE DIRECTORS TO HAVE APPROVAL AUTHORITY OVER ADMINISTRATIVE AND OPERATIONAL

MATTERS INCLUDING INDIVIDUAL PROJECTS AND WORK PROGRAM.

STRUCTURE BOARD DECISION-MAKING TO GIVE DEVELOPING COUNTRIES SIGNIFICANT MINORITY VOTING POWER BUT RETAIN CLEAR CONTRIBUTOR COUNTRY CONTROL (USING COMBINATION OF MEMBERSHIP VOTES AND VOTES BASED ON FINANCIAL CONTRIBUTIONS)

- (a) Use of this mechanism would avoid undesirable elements of the alternatives being proposed:
 - (i) Inappropriately large voice for developing countries (i.e. variants being pushed by developing countries based on UN formula of one country one vote)
 - (2) Ceding too much control over GEF operations to the three implementing agencies (this is a problem with present GEF arrangements because semi-annual meetings of contributor countries do not provide enough opportunity for effective control)
- (b) However, the Executive Board model will also be harder to sell to developing countries and clearly requires a bigger U.S. commitment to the process if it is to have a chance for success.

6. PROGRAMMATIC CONSIDERATIONS

- ESTABLISHMENT OF NEW WINDOW THAT WILL BE EXPECTED TO PROVIDE GRANT AND/OR GRANT-EQUIVALENT FUNDING FOR GLOBAL ENVIRONMENTAL PROJECTS.
- CONTINUE TO CONTAIN EXPANDED GEF OPERATIONS WITHIN CONCEPTUAL FRAMEWORK OF INNOVATIVE ACTIVITIES; LEAVE OPEN A COMMITMENT TO FUND INCREMENTAL COSTS FOR GLOBAL BENEFITS AS METHODOLOGY IS DEVELOPED AND ADDITIONAL FUNDS BECOME AVAILABLE.
- CONTINUE TO EMPHASIZE NEED TO INCORPORATE RESULTS OF GEF EXPERIENCE INTO MAINSTREAM LENDING PROGRAMS OF MULTILATERAL AND BILATERAL DONORS.
- AVOID TIGHTLY BINDING COMMITMENT TO FUND INCREMENTAL COSTS THAT CAN BE TIED TO GLOBAL BENEFIT. SUCH AN COMMITMENT COULD BECOME PROBLEMATIC BECAUSE A WORKING METHODOLOGY IS NOT YET IN PLACE FOR MAKING DISTINCTIONS BETWEEN GLOBAL AND NATIONAL BENEFITS.
- IN SOME SPECIFIC AREAS SUCH AS ENERGY AND TROPICAL FOREST PROTECTION THE INCREMENTAL COST CONCEPT MIGHT

ENCOURAGE OPEN-ENDED DEMANDS FOR GRANTS OR CONCESSIONAL FUNDING FOR PROJECTS THAT SHOULD BE FINANCED THROUGH MAINSTREAM OPERATIONS.

7. CONGRESSIONAL CONSIDERATIONS

BE PREPARED TO WORK FOR INTERNATIONAL CONSENSUS ON GEF UNDERSTANDINGS THAT MAY BE CONTAINED IN U.S. LEGISLATION THIS YEAR:

- (a) Clear guidelines for project selection
- (b) Balance among objectives of facility
- (c) Governmental and nongovernmental input into facility processes
- (d) Use of maximum leverage to attain facility objectives
- (e) Consultation with OECD
- (f) Funding of innovative projects that would not have been funded in absence of facility and introduction of results into mainstream lending
- (g) Contributor country oversight of individual projects in work program and provisions for NGO participation
- (h) Prominent role for Scientific and Technical Advisory Panel

US STRATEGY
for UNCED**DRAFT**OVERALL

Recognizing that the preparatory process and the Rio meeting are likely to be chaotic, highly politicized, and high profile, we should focus our efforts on: (1) targeting achievements that serve our interests and demonstrate an appropriate commitment; and (2) averting bad ideas. Even if the Conference is a mess, we will be positioned to point to accomplishments (or at least a positive agenda we sought to press). Moreover, having our own agenda will better position us to block a last minute rush by Conference participants to poor ideas. We have a good record and good proposals; we should get credit for them. Also, it's hard to beat something with nothing.

POSSIBLE ACHIEVEMENTS

- Conclusion of a Statement of Principles on Forests
- Conclusion of a Statement of Principles on Oceans
- Focus on the conservation of species (including drawing from our good record on habitats), including a process for the "Inventory and Assessment of Biological Diversity". [Note: this is not the same as a convention on biological diversity.]
- Agreement on a Process for Technology Cooperation in a market context.
- Endorsement of a reconstituted Global Environment Facility as the funding mechanism for international environmental treaties.
- To be completed by time of Rio Conference: a satisfactory framework Convention on Climate Change.

NOTE: Concentration on forests and oceans, areas where we are strong, could be the basis of a theme that we're concentrating on approximately 75-80% of the Earth's surface (the figures vary depending on the definition of forests).

CHALLENGES: Problems to Manage

- Earth Charter and Agenda 21
- Financial Resources: sources, amounts and mechanisms.
- Climate Change negotiations and possible UNCED interference.
- Biological Diversity: avoid restrictions on Biological Technology.
- Tropical Rain Forests: develop workable program for Brazilian Rain Forest project endorsed by G-7.
- Institutions: avoid establishing new ones; streamline existing ones.

DECLASSIFIED

PER DOS WAIVER, November 6, 2015

By MM NARA, Date 2/22/2018

Assessment

- Chaotic, high profile and highly politicized process and event.
- USG shouldn't be reactive: can get ahead of the curve and identify key proposals we favor that can be accomplished (e.g. forest principles). This helps us set the terms of the debate. We can then emphasize our positive agenda.
- Difficult to control documents like Earth Charter and Agenda 21: focus on getting USG proposals included, stopping bad ideas and limiting the effect of any result if it cannot be salvaged.
- Keep focus on key proposals -- the list of accomplishments we can point to. Avoid being drawn into blackhole of wishlists. (Play offense, not defense, to the degree possible).

USG Work

- PCC review of PrepCom decisions: prepare reports and recommendations for EPRG review.
- Establish small group on financial resources to develop USG proposal for changes in the GEF and to develop strategy for working this issue with major donor countries.
- Prepare specific proposals for inclusion in Earth Charter and Agenda 21; these ideas should promote our themes about research, sustainable development, and the use of economic analysis and market mechanisms.
- Identify EC/Agenda 21 ideas we wish to stop.

External Work

- Demarche key capitals through posts:
 - Reiterate our strong interest in a successful and productive UNCED;
 - Note our general assessment of and concerns about Prepcom process;
 - Indicate our intention to continue to move ahead with specific proposals on forests, oceans, technology cooperation, etc.
- Target appropriate ministries in key capitals on specific issues (e.g., finance ministries on financial resources and GEF).
- Use major international conferences and meetings to further our objectives, e.g. OECD Environment and Development Ministerial (Paris, December, 1991).
- Work issues during UNGA and UNGA Second Committee sessions (September - December, 1991).



United States Department of State

Bureau of Oceans and International
Environmental and Scientific Affairs

Washington, D.C. 20520

3 October 1991

TO: Members of the PCC Subgroup on Environment
and Health

FROM: OES - Richard J. Smith *RS*

SUBJECT: Discussion of October 10-11 Meeting of Ad Hoc
Group on Environment and Development
(Preparatory to December 2-3 Joint Meeting of
the Development Assistance and Environment
Committees at Ministerial Level)

A meeting of the PCC Subgroup on Environment and Health will be convened tomorrow, October 4, at 4:00 p.m. in Room 7835 (Main State) to discuss issues related to the upcoming meeting of the Ad Hoc Group of the OECD Council on Environment and Development and to reach agreement on a Scope Paper for this OECD meeting, a draft of which is attached for your review prior to the meeting. The draft Scope Paper provides guidance on several important issues for the Ministerial contained in a draft Ministerial Policy Statement, which is included in the package for your review.

I am also including a discussion paper dealing with specific initiatives related to technology cooperation for your review.

*Pass on
to Fitz ? 1*

OECD Ad Hoc Group
October 10-11, 1991

SCOPE PAPER

Overview

The *ad hoc* Group on Environment and Development, established by the OECD Council by Resolution of 1991, agreed at its April meeting that the December Joint Meeting should accomplish three aims:

- o review OECD preparations for UNCED;
- o provide a forum for debate by aid and environment ministers on critical issues concerning the integration of development and environmental policies, and for discussion of the process beyond 1992; and
- o agree on actions by Member countries to promote sustainable, environmentally sound development.

The Group also agreed that the ministerial should produce a policy statement setting forth the central issues concerning the integration of environment and development, reflecting the commitment of ministers to take action to promote sustainable development. The Secretariat has produced two drafts of the policy statement and, based on comments received in August and early September, will have a third draft ready for review and discussion at the October meeting.

For the United States, a broad objective of the joint ministerial is to produce agreement on the concept of sustainable development. The U.S. believes strongly that environmental protection and economic growth go hand in hand. In developing countries, a concern for the environment requires that OECD countries make their development assistance, environmental and economic policies mutually reinforcing. As environmental degradation is a serious threat to sustainable growth, concern for the environment must be a critical component of any successful assistance program.

In exploring ways to integrate environment and development, the ministers will examine issues of great importance and interest to the 1992 UN Conference on Environment and Development. While integration is a long-term and evolving objective within the OECD which will continue well past 1992, the results of the December ministerial will certainly be an important contribution to UNCED.

The October meeting may offer the last opportunity to promote consensus around U.S. views of the December Ministerial (although there may be increasing sentiment for one more preparatory meeting in November).

U.S. Objectives for the December Ministerial

- o Agree on how OECD environment ministries can support development ministries in helping developing countries effectively manage their environmental and natural resources for sustainable economic growth.
- o Agree to promote democratic systems, market-oriented economies and integration of economic and environmental policies in developing countries as the most efficient and effective means of achieving development and environmental objectives.
- o Agree on further improving efforts of OECD member countries to integrate environmental concerns in development assistance programs and economic (trade, debt, investment) policies toward developing countries.
- o Explore approaches to such UNCED issues as technology cooperation, financial resources, and Agenda 21.

Specific Points on the Agenda and Communique of the Joint Ministerial

The section below provides summary remarks concerning each agenda item for the December Ministerial and the corresponding sections of the draft Policy Statement.

Sustainable Development as a Shared and Integrating Objective

The purpose of this discussion should be to develop the context for integrating development and environment policies, and to serve as a foundation for subsequent discussions on statements of objectives and new areas of cooperation. Discussions here should clarify the ministerial understanding of sustainable development, and establish objectives for achieving the goals of sustainable development.

OECD Response

A discussion of the OECD response provides an opportunity to highlight the public sector role in: 1) integrating environmental considerations in development programs, and 2) creating a policy environment conducive to addressing environmental constraints to development. The OECD should stress that the response should be discussed in terms of the significant member country efforts, both nationally and in working with developing country governments, designed to promote economic growth and reduce poverty, including efforts encourage private sector investment.

New Partnerships

The United States should stress the point that environmentally sound development is primarily the responsibility of the developing countries themselves, which will be the primary beneficiaries of sustainable practices and policies. The concept that addressing environmental constraints to development is in the best interest of the developing countries (rather than done as a favor to the developed world) is essential in defining the essence of the new partnerships, with an emphasis on mutual respect and mutual benefit.

While the developing countries themselves should assume responsibility for their own development and the role of the private sector is critical, the OECD Ministerial should reflect other aspects of "new partnerships," namely, the commitment for OECD environment and development ministries to work more closely, both bilaterally and multilaterally. In particular, Ministers should endorse the DAC's Good Practices Papers.

Integrating Environment, Development and Economic Policies

The main U.S. objective for this section should be to agree with other Member countries to examine how to make OECD trade, debt and investment policies more supportive of environmentally sustainable development, and report preliminary findings to the DAC and to the OECD June 1992 Ministerial.

Technology Cooperation

The successful introduction and adaptation of technologies requires a mutually supportive and non-confrontational process in which all parties benefit from the interaction. The term "technology cooperation" is used to emphasize this point. Technology cooperation is one of the cross-cutting themes at UNCED, and will be an important subject of discussion at the Joint Ministerial. Other OECD countries will be looking to the U.S. to take the lead. The U.S. will emphasize the importance of strengthening capacity in developing countries and the critical role of the private sector, and appropriate policies conducive to private sector investment.

Building on the general objectives and philosophy articulated in this scope paper, the USG should urge Ministers to support technology cooperation, drawing on the existing cooperative programs now underway or proposed by aid and environment agencies in many OECD countries.

Note: One of the items the USG needs to consider is whether to have Ministers consider and/or endorse specific initiatives related to technology cooperation, and if so, what initiatives.

The Private Sector

The U.S. recognizes the essential role of firms and market-based mechanisms in achieving the broad objective of environmentally sound development.

Financing Sustainable Development

The discussion of financing must move beyond G-77 calls for "new and additional resources." The emphasis should be on developing new approaches and new partnerships in which industrialized and developing countries use existing resources to support mutually beneficial activities. The U.S. should emphasize that the most important source of financing for sustainable development, well beyond the potential of publicly-funded assistance programs, is the private sector, implemented through market-driven investments.

It should be noted that within the G-77 island states and the very poor nations are not in complete agreement with China and Brazil on the issue of financing, which in turn differ in perspective from Saudi Arabia and other Gulf states. These differences should be explored as a possible means of advancing the U.S. position.

We believe that, where appropriate, financial assistance should help developing countries meet the incremental cost of commitments assumed under new international environmental agreements that have global benefits. The Global Environmental Facility (GEF) should be the principal multilateral funding mechanism to channel such assistance.

United Nations Conference on Environment and Development

The U.S. should use the occasion of the OECD Ministerial to explore the positions of other delegations and to seek out support among other countries for our position on the outstanding issues still to be addressed in New York in March.

Other Issues:

Several countries, most notably France and Canada, will raise the issue of inviting developing country representatives to the Joint Ministerial. While the United States actively encourages full developing country participation in creating new approaches to integrating environment and development, we believe that the Joint Ministerial should focus on the task of enhancing coordination among aid and development ministries within OECD member countries. Other fora can and should be used to maximize developing country input into the debate on integrating environment and development.

5

Note: The USG will need to consider the possibility of NGO participation on the US delegation for the December meeting.

2

ORGANISATION FOR ECONOMIC
CO-OPERATION AND DEVELOPMENT

~~CONFIDENTIAL~~

Paris, drafted: 27-SEPT 1991
OLIS:
dist.:

DECLASSIFIED
PER E.O. 13526

LP/LM 2014-001
11/19/2013 MM

Scale

C/ENV/DEV/MIN(91)1

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

THIRD DRAFT

POLICY STATEMENT FOR DECEMBER 1991 OECD
MINISTERIAL MEETING ON ENVIRONMENT AND DEVELOPMENT

(Note by the Secretariat)

1. OECD Ministers and heads of agencies responsible for development assistance and environment met together for the first time at the OECD in Paris, 2-3 December, to consider a co-operative new approach to the challenge of achieving sustainable development on both a national and a global basis. They were joined by The meeting was chaired by

Political Conclusions

2. The meeting was convened in recognition of the fact that contributing to sustainable development world-wide is one of the OECD's central objectives. Yet, despite major investments by OECD and other countries over the past three decades, the quality of the human condition in large parts of the world, and hopes for a better future, continue to be diminished by poverty, illiteracy, malnutrition, unemployment, increased population pressures, pollution of the air and water, and degradation of arable land. At the same time, the emergence of regional and global-scale environmental problems, in particular ozone layer depletion and climate change, deforestation and desertification, loss of biological diversity, degradation of water resources and acid rain, calls for collective action by all nations to protect the basic life support systems of the Earth.

3

3. Over recent years, the market economy has proved its strength and vigour in promoting structural change and adaptable economies. An interdependent world economy has been created which is increasingly based on political democracy, and free and open markets. OECD countries are firmly committed to this system. But it has to be recognised that market forces if left to themselves cannot adequately take into account the urgent need to combat widespread poverty or long-term environment problems.
4. The United Nations Conference on Environment and Development (UNCED) in June 1992 can provide the catalyst for a strengthened partnership between developed and developing countries for sustainable development world-wide.
5. Ministers, recognizing the interdependence of all nations, therefore pledge that OECD Member Governments will strive to build a strengthened partnership with other Governments in the developing world, in Central and Eastern Europe and in the Soviet Union. This partnership must be based on reciprocal commitments by all countries based on their relative capacities.
6. OECD countries recognize their special responsibility in this respect, given the pressures their consumption patterns place on the environment and in view of the technologies and financial resources that they command. OECD Governments pledge to intensify their efforts further to reduce the burden their economies put on the environment. They commit themselves to promote a more effective technological co-operation with non-Member Countries to assist these countries in fully benefitting from the development of new, clean technologies. Ministers also recognize that additional resources will have to be made available to developing countries if these are to cope both with national and global environment problems, as well as achieve sustainable development and the economic growth needed to combat poverty.
7. Sustainable development is a shared objective. Towards this end, developing countries, countries in Central and Eastern Europe and the Soviet Union will have to make commensurate commitments to good governance, effective economic policies - including areas affecting the environment - and sound environmental policies. In this connection, Ministers note the need to slow population growth in those many countries where it is too rapid to permit sustainable development. As a matter of priority, OECD members stand ready to help developing countries that desire assistance with population programmes.
8. Ministers underline the important role of the private sector as provider of managerial, technical and financial resources which can contribute to solve environmental problems. In this connection they welcome the inclusion in 1991 of an environmental chapter in the OECD Guidelines for Multinational Enterprises and the Business Charter for Sustainable Development of the International Chamber of Commerce.
9. Ministers welcome the increasing involvement of non-Governmental organisations both in developed and developing countries in promoting sustainable development by action at the grass root level. They also support the attention being given to the role of women in environmental management.
10. Ministers welcome the support that work within the OECD framework can provide to the UNCED process and thereafter. In particular:
-- they welcome the Guidelines and Recommendations on environment and

and prepared by the CSD Development Assistance Committee.

5

- they encourage the OECD to make widely available the results of its work on management of chemicals and wastes, biotechnology, energy, cleaner technologies, transport, economic instruments and environmental indicators;
- they urge the OECD to intensify its work on other issues related to sustainable development, inter alia on the relations between trade and environment;
- they support the exchange of experiences in designing policy tools and appraisal of environmental policies and programmes;

11. (An initiative on capacity building?)

12. This Ministerial meeting takes place at a crucial moment in the preparations for the UNCED. Ministers have carefully considered the status of the preparatory work and reiterate the strong support of their Governments for the Conference and pledge their firm determination to make it a success.

13. Ministers agree to convene on a regular basis after the Conference in Rio de Janeiro to review progress on achieving the goals of sustainable development and on integrating efforts of their respective agencies.

x x x

6

14. In addressing issues of sustainable development, OECD Governments will in the future base their actions on the following considerations which elaborate on the conclusions above.

Sustainable Development as a Shared and Integrating Objective

15. OECD Environment and Development Ministers agree that sustainable development is a common objective for all nations. It is a central element for the OECD's strategy for the 1990s, to integrate environmental development goals and to achieve satisfactory economic and socio-cultural conditions of life for all people. Ministers stress the importance of taking a longer term perspective when addressing these issues, for example, taking preventive action now to avoid higher costs in the future.

16. OECD Ministers acknowledge that sustainable development must include the making of substantial inroads into under-development. The vicious circle of under-development that links poverty, malnutrition, illiteracy, high population growth and environmental degradation must be broken through sound national economic and social policies, supported by international development co-operation. These efforts will be undercut, however, unless attention is paid to maintaining the natural resource base.

The OECD Response

17. Encouraging progress is being made in OECD countries, for instance by using energy and raw materials more efficiently, by increasing recourse to renewable energy and cleaner fuels, by expanding forest cover, by lowering concentrations of some major air pollutants and by improving management of chemicals. Large investments in environmental research and development are beginning to pay off.

18. Such progress, however, falls well short of what is required. Economic policies will have to ensure that the use of this planet's resources is sustainable and safeguards the interests of both present and future generations. Environmental considerations must be integrated into the full range of government policies. OECD countries must continue to work towards further substantial reduction of the overall pollution burden and make greater efforts at energy conservation as well as research and development of renewable sources of energy. Progress in this respect will be monitored in the peer review process of environmental policies within the OECD launched by Environmental Ministers in January 1991 as well as in the ongoing peer review process of the International Energy Agency (IEA).

19. OECD Governments will take steps to reinforce co-operative working arrangements between Development and Environment Ministries. This increased collaboration should help ensure that environmental considerations are an integral part of all aid assisted projects and programmes and that in turn development objectives underpin initiatives in the field of the environment. OECD Development and Environment Ministers will build on the results of this meeting to help ensure that their strategies properly integrate both development and environmental management objectives.

7

20. In particular OECD Ministers commit themselves to rigorous environmental assessments of all projects and programmes, financed by official development assistance or otherwise officially supported, that raise significant environmental issues. They will also take steps to ensure careful environmental impact assessments of public investments within the borders of their own countries.

21. In this connection OECD Ministers endorse the guidelines and recommendations for aid agencies on environment-related matters which have been adopted by the OECD Development Assistance Committee (DAC):

Good Practices for Country Environmental Surveys and Strategies;

Good Practices for Environmental Impact Assessment of Development Projects;

Guidelines for Aid Agencies on Involuntary Displacement and Resettlement in Development Projects;

Guidelines for Aid Agencies on Global Environmental Problems.

Ministers see these guidelines, and others which are still in the process of preparation, as operational groundrules for aid agencies and the ongoing dialogue with developing countries.

22. More generally, policy coherence is a key challenge which OECD Member countries are committed to address in their domestic and international policy-making. While aid is recognised as important for developing countries in the pursuit of sustainable development, it alone is not sufficient. It must form part of a strategy that integrates a wide range of separate policies. These policies relate to environment and development assistance but also importantly to areas such as trade, agriculture, energy, investment, economic policy and debt. Ministers are committed to the work initiated by the OECD which will help identify constraints in these areas to sustainable development and propose measures to overcome these barriers.

A Strengthened Partnership

23. All countries have a common interest and responsibility for the sound and sustainable management of their natural resources and for the protection of the global environment. Each country, therefore, must ensure that its development process is environmentally sound and sustainable by establishing the necessary policies and institutional framework. An important rationale for establishing more effective partnerships between developed and developing countries is to enable all countries to fulfill these responsibilities (and meet their commitments in relation to the Earth Charter and Agenda 21, which are to be adopted in June 1992).

24. OECD governments are prepared to work together with governments of all nations to create effective partnerships for sustainable development. While governments have special responsibilities, the partnership concept must also encompass the private sector and non-governmental organisations.

25. OECD Ministers realise that if developing countries are to be able to cope successfully with their pressing development and environmental challenges

8

and to join others in contributing to the solution of global and regional environmental problems, their efforts will need to be assisted by OECD countries.

26. OECD Ministers are encouraged by the commitment to co-operative action on national and global sustainable development by developing countries as reflected inter alia in the Beijing, Bangkok, Tunis, Tlatelolco and Langkawi Declarations.

27. OECD Ministers acknowledge the serious environment problems of the Central and Eastern European countries and in the Soviet Union and are committed to working with them. This will not diminish their co-operation with the Third World.

Integrating Environment, Development and Economic Policies

28. Progress in sustainable development is underpinned by good governance, market-based economic policies and participatory approaches which involve accountability and broad popular involvement in the orientation and implementation of government policies. However, a key challenge in the pursuit of sustainable development for all countries is the effective integration and coherence of economic, social and environmental policies in all aspects of national and international policy-making.

29. Economic analysis, including that of social and environmental costs and benefits, should be used as a basis for choosing between alternatives to reach sustainable development goals. Prices for raw materials and energy as well as products should reflect the full environmental costs of their exploitation, use and disposal. Subsidies, taxes or other market interventions that harm development patterns or distort the efficient use and management of natural resources should be eliminated.

30. Environmental action should take into account the needs of local populations within their respective social and cultural contexts. Particular attention should be given to the impact on women. More concerted efforts will be required to involve women from the preparation stage of development planning, particularly in such sectors as forestry, agriculture and water management.

31. Ministers recall that the environment and the survival of our planet is a matter for all citizens of the world. The preservation of the environment is a concern that therefore must influence the action of every individual on a daily basis. This underscores the role of environmental education as a means of increasing the awareness of all citizens.

32. Improvements in the international trade system are a vital contribution to sustainable development. Developed and developing countries have a common interest in ensuring that trade and environmental policies are mutually supportive and act as a positive force for sustainable development. Efforts by individual nations to achieve higher levels of environmental protection at home and international agreements to cope with global environmental issues must be designed and implemented so as to avoid distortions in international trade. Conversely, trade policies must not undercut efforts to achieve major environmental goals. Ministers support the continued study by the OECD of the

9

linkage between these issues and recommend this as an area for early attention by the GATT.

33. Ministers note the growing global consensus on the need to slow population growth in those many countries where it is too high to permit sustainable development. Improved living conditions, access to education and economic security are the most essential preconditions for ensuring the demographic transition to more sustainable population rates. In addition, however, offering people in developing countries the opportunity to plan the size of their families is essential to avoid an aggravation of already difficult social, economic and environmental problems. OECD Members stand ready to support measures to improve women's economic and social conditions in developing countries and to help establish, fund and implement effective population strategies and programmes as a matter of priority.

Technology Co-operation

34. Technological innovation and transfer of technology play an important role in tackling environmental problems world-wide. OECD Members are committed to co-operate with developing countries to improve their access to environmentally sound technologies and to enhance their capacity to use and develop these technologies by

- assisting the development of appropriate incentive structures, policies, legislation and institutions;
- providing information on technology availability and options;
- using existing and new technical assistance programmes and facilities to assist in building institutional capacities, providing experts and training, supporting local research and development efforts, and promoting the transfer of technology more generally;
- addressing barriers to technology transfer.

35. In a market economy the access to technology under private ownership is largely determined by market considerations and economic and legal conditions. Policies of all countries should create propitious conditions to encourage the private sector to innovate, market and use the technologies that contribute to sustainable development. Ministers welcome the initiatives of major corporations in integrating environmental concerns into their practices as recommended by OECD and the initiatives in several countries for public/private co-operation.

Financing Sustainable Development

36. By far the largest proportion of the financial resources required for sustainable development is and must be generated by the developing countries themselves. OECD Ministers therefore recognise the need to promote an international economic climate that is conducive to sustainable development. This includes reforms of the international trade system, including improved market access; conditions in developing countries which are attractive to international investment; mobilisation of domestic savings; further progress in the debt area and diversification of national economies. Public expenditures

10

in both developed and developing countries need to be carefully reviewed to maximise their contribution to sustainable development, including particular attention to the scope for reallocating military expenditures.

37. OECD Members recognise that substantial additional aid efforts will be required, in light of the huge development tasks ahead. Ministers pledge attention to both the qualitative and quantitative aspects of aid and note the target already established by international organisations for the future level of development assistance.

[38. OECD Members realise in particular that additional assistance, beyond (and separate from) current levels of development support, will have to be made available if developing countries are to play their part in coping with global-scale environmental problems.]

39. Donor commitment to finding the means to support world-wide co-operation in protecting the environment is manifested by the recent creation of a special fund under the Montreal Protocol and the establishment of the Global Environmental Facility (GEF) under joint World Bank, UNEP and UNDP auspices. Ministers underline the potential role that the GEF can play as the international mechanism to provide additional assistance to developing countries in the framework of the ongoing negotiations on the global environment, and thus note the desirability of expanding the number of participants. [While they agree that a proliferation of new funding mechanisms is to be avoided, issue-specific approaches such as the special fund of the Montreal Protocol may be preferable for global conventions.] They also recognise the desirability of establishing decision-making procedures that adequately reflect the role of the recipient countries.

[40. OECD Ministers commit themselves to exploring other measures and new initiatives to ensure that substantial additional assistance would be made available to support globally beneficial action by developing countries.]

New OECD Initiatives for Co-operation in Capacity Building

41. OECD Ministers pledge to give high priority to working with developing countries, Central and Eastern European countries and the Soviet Union in strengthening their national capacities to identify and manage environmental problems. In addition to bilateral co-operation, efforts will be made to make available to these countries the insights and knowledge derived from OECD work.

42. Ministers accordingly encourage the OECD to provide expanded and new opportunities to share its experience, documentation and data with non-Member countries. This could take the form of special seminars and conferences; invitations to technical meetings, information and data exchanges. The following areas of special OECD expertise and IEA expertise in the area of energy would be particularly suited to these types of co-operation:

- tools for environmental management (environmental taxes and tax policy, regulations);
- integration of economic and environmental policies in specific sectors (energy, agriculture, transport);
- pollution control strategies, including costs and benefits;

11

- safe management of hazardous chemicals and toxic substances;
- cleaner technologies (government policies; information on technology state-of-the art);
- cleaner, more efficient energy supply systems;
- environmental performance measurement (environmental indicators, revised national accounting systems, country reviews).
- the application and monitoring of the DAC Guidelines and Recommendations in the fields of environment, institutional development and technical co-operation.

[43. OECD Members will explore the utility and feasibility of establishing with interested partners in developing countries a consultative process with a view to providing improved and more systematic support for capacity building in the areas above.]

UN Conference on Environment and Development

44. The 1992 United Nations Conference on Environment and Development provides a unique opportunity to formulate strategies for sustainable development and to enter into strengthened partnerships to attack environmental problems at national, regional and global levels. Further, it offers the occasion for endorsing the Earth Charter, a consensus on goals and priorities for the 1990s and beyond, and for agreeing to commitments for concrete actions as specified in Agenda 21. Ministers reiterate their countries' support for the development of effective conventions on biodiversity and on climate change in time for signature at the 1992 UN Conference as well as for a statement of principles on forest management leading towards a Forest Convention. OECD Ministers pledge high-level attendance and their best efforts to make the Conference a success.

Item for PCC Consideration on Technology Cooperation

Many OECD member states have particularly welcomed U.S. leadership on the subject of technology cooperation, as presented at the most recent UNCED preparatory meeting and elsewhere. They are likely to seek out U.S. views at the OECD as to how and when to proceed beyond the general articulation of the concept, to more specific proposals for action. It would therefore be useful to consider what specific proposals might be endorsed at the OECD Ministerial that would serve U.S. interests in a range of fora.

The major thrust of much U.S. work on technology cooperation might well be advanced most effectively in the context of the climate change negotiations. A U.S. package on technology cooperation for climate change could prove tactically useful at a critical point in those important negotiations.

At the same time, the U.S. might strengthen support for our objectives there and at UNCED by working with other OECD nations to develop specific proposals on technology cooperation of a more narrowly focused or technical nature (safe drinking water, pesticide management, etc.) within the OECD. That institution has some unique strengths and capabilities in the Development Cooperation Directorate, the Development Center, the Environment Directorate and other directorates as well as the International Energy Agency that could be drawn upon. It might be useful, in furthering U.S. commitment to sustainable development, if the U.S. were to advocate Ministerial endorsement in December of a range of programs that reflect the comparative advantage and special strength of the OECD as an institution to promote sustainable development (for example, its work on economic incentives, institution building on legislation and regulations, pollution prevention or risk assessment/management). In this regard, it would be most useful to have an indication from all interested USG agencies as to which principal areas they believe are most useful in making concrete progress toward sustainable development. Since the Administrators for A.I.D. and EPA will lead the U.S. delegation in December, it might be most useful for those Agencies to develop more proposals, but proposals from all should be solicited for interagency consideration.

Further, the U.S. might propose or support proposals from other OECD member states to work together, in consultation with key developing nations, to provide for means or mechanisms to enhance the capacity-building which is an integral part of technology cooperation. It would be useful to draw again from the views of all concerned USG agencies to indicate what mechanisms they would consider most effective and which ones are already incorporated in their present or projected programs (thus occasioning no additional commitment of resources).

REPORT
OF
THE ASPEN INSTITUTE
WORKING GROUP
ON
INTERNATIONAL
ENVIRONMENT AND
DEVELOPMENT POLICY

25 JULY, 1991

TABLE OF CONTENTS

INTRODUCTION

INSTITUTIONS

TECHNOLOGY

FINANCE

LEGAL ISSUES

ANNEX 1: LIST OF WORKING GROUP MEMBERS

INTRODUCTION

The Aspen Institute convened an international Working Group in Aspen, Colorado, from 18-25 July, 1991, to discuss institutional, technology, financial and legal issues that will fall within the scope of the 1992 United Nations Conference on Environment and Development. The members of the Working Group, which was chaired by Sir Crispin Tickell, are listed in Annex 1.

This report is based on the discussions of the Working Group. It does not represent a document that has been approved by individual members of the Group. It is, rather, a summary by the rapporteurs, issued on the authority of the Chairman and the Aspen Institute, of the principal elements of the Group's deliberations and of the recommendations and options that emerged from its work. The report is submitted to participants in the third meeting of the UNCED Preparatory Committee and to others interested in UNCED's work in the hope that it may serve a useful and practical purpose in focusing discussions and crystallizing decisions in the short time remaining before UNCED itself convenes in Rio de Janeiro in 1992.

Several general themes recurred throughout the Aspen Group's deliberations and deserve to be highlighted at the outset. These themes are summarized in the following four sections of this Introduction.

The Central Role of National, Subnational and Regional Governments and Non-Governmental Organizations. The primary responsibility for environmentally sound, or sustainable, development must rest with governments at all levels, acting through a broadly participatory process involving non-governmental organizations and groups (including the private corporate sector) and private citizens and, where appropriate, in conjunction with regional organizations. This applies to industrial and to developing countries, both of which in different ways have proved unable or unwilling to coordinate and integrate their policies related to environment and development with a view to achieving sustainable development. Strengthening the capacity of these national, subnational and regional organizations for promoting sustainable development and reinforcing the participatory nature of decision-making processes at all levels should be a primary goal of all those, including international organizations, concerned with sustainable development throughout the world. International institutions, in the Working Group's view, should provide the necessary staff support for this purpose.

Concern for the Future. Giving reality to the concept of sustainable development implies that human beings should have a different view of the relationship between the interests of the present and those of future

generations than is typically the case. This idea has important, and difficult, implications across a number of fields. These include the adoption of full social cost pricing as a means of ensuring that the externalities of human behavior are adequately accounted for, and new legal concepts of intergenerational equity. The Working Group believes that this heightened concern for the future, even though the ways in which it can be made operational may not be fully understood, should be a guiding light for UNCED's work and for the implementation of the Agenda 21 action plan and the specific Conventions that are likely to emerge from the Conference.

Concern for future generations should not be seen as diminishing concern for the welfare of the present generation. The Working Group underlined the importance of ensuring the right of each individual to freedom and adequate conditions of life. At the same time, all persons bear the responsibility to protect and improve the environment for present and future generations, as well as for the sustainable use of natural resources, taking account of their financial and technical capability to do so.

Consumption and Population. Unsustainable patterns of consumption and population growth are two of the primary causes of global environmental problems now and in the future. Achieving a path to sustainable development requires changes in the behavior patterns that give rise to these two phenomena. Such changes will require profound modifications in individual, social, economic and political behavior. But without progress in this direction even the best conceived action plans and institutional, technological, financial and legal arrangements that the international community might put in place would be for naught. The Aspen Working Group did not address itself to these issues in detail, but recognized their fundamental importance to the work of UNCED and to the prospects for sustainable development.

Urgency and Timing. The Aspen Working Group's discussions reflected a sense of urgency about the need for progress by governments and peoples towards more sustainable development. Many of the institutional, technological, financial and legal changes required to make such progress may, nevertheless, take several years to implement. The Group's recommendations and options ranged over measures that can be taken in the short term and more fundamental changes that will take longer to achieve. Where possible, this report distinguishes between these different time horizons for action. A cardinal principle for UNCED, however, is to ensure that actions taken in the short term are consistent with, and where possible facilitate, measures that will take longer to adopt and implement. It would be at best unfortunate if short term decisions were taken for reasons of expediency or convenience that would have a high likelihood of impeding desirable longer term changes or generating perverse consequences.

20.11.1987

INSTITUTIONS

Defining the Problem

Protection of the environment and the processes of development are inextricably linked. But governments have yet to draw the necessary conclusions and adopt effective sustainable development strategies. As long as sectoral policies and programs are not integrated at the national level, governments are limited in their ability to promote coordination at the inter-governmental level. Such improved coordination would make more efficient use of existing resources.

Sustainable development will require new kinds of institutional capabilities, particularly for cross-sectoral decision-making, public participation, and continuing innovation. Action at the local level is the key. International institutions should therefore do more to help national and local organizations integrate environment and development in their planning, and provide incentives to promote sustainable growth through the private sector.

The wide range of multilateral activities and the growing influence of non-governmental entities worldwide has substantially altered the landscape of international institutions since the establishment of the United Nations and the Bretton Woods institutions following the Second World War. The nature of the challenges facing them today has also changed dramatically. The Group believe that new emphasis on sustainable development in the growing network of regional and global institutions -- governmental and non-governmental -- should be strongly encouraged.

The increasing number of UN and other international organizations has also led to overlapping responsibilities, and left a number of organizations of doubtful value. At the same time, as new issues have become more urgent, there are gaps in the existing system that must be filled. The Group considered means to consolidate existing secretariat and inter-governmental institutions, and considered new program areas.

The need to improve arrangements for independent review of performance by international institutions, and their progress toward agreed objectives and targets, also received attention. The Working Group emphasized the importance of obtaining scientific and technical advice and contributions from women, youth, indigenous peoples and other habitually under-represented groups.

In examining improvements in institutional arrangements, the Working Group distinguished between the secretariats of the United Nations system and the responsibilities of inter-governmental decision-making bodies. It

commended steps to strengthen support staff functions, both to maintain the momentum from UNCED and to review progress on Agenda 21, and to lay the groundwork for far-reaching changes in the future. It noted certain initiatives for reform of the UN system and other international institutions. It was important that UNCED should take good account of them.

Capacity Building and Empowerment

Global and regional organizations should enhance national capabilities. The empowerment of a broad range of local communities and citizens' groups to enable them to take part in formulating and implementing sustainable development was essential.

Coherent national policies were widely viewed as a prerequisite. For the developing countries, they provided the foundation for external support by identifying needs and priorities and a framework to ensure that such support promoted sustainable development. This would require adequate funding. The industrial countries also needed to adopt coherent policies for their own sustainable development.

The Working Group examined the ways in which international institutions, both global and regional, contributed to building national capabilities. This point is considered in more detail in the sections on technology and finance. It includes access to information, technical training, policy advice, mobilizing financial resources, and reviewing performance of UN members as well as the UN institutions themselves.

Making Better Use of What Exists

1. Specialized Agencies and Programs

While the Working Group acknowledged that many UN agencies and programs were concerned with sustainable development, including notably UNEP, UNDP, UNIDO, FAO, WHO and ILO, it focused particularly on UNEP and UNDP. In respect of UNEP, the Group recommended:

- strengthening UNEP's assessment functions through building linkages with other UN system agencies in the Earthwatch program, as well as through expanded working relations with private research institutes and non-governmental organizations;
- strengthening UNEP's role in the development of international environmental law and "soft law" instruments, and in performing secretariat functions arising from an increasing number of international legal agreements;

- strengthening UNEP's role with the general public and non-governmental entities, as well as inter-governmental institutions;
- strengthening its role in reviewing UN programs in order to catalyze activities to promote sustainable development;
- discontinuing UNEP's role in project implementation, while promoting closer collaboration at the regional level between UNEP and UNDP to review national progress toward sustainable development and to support training programs in environmental planning and management.

In respect of UNDP, the Working Group recommended that:

- UNDP should use its existing network to provide technical support for devising and implementing policies for sustainable development at the national and regional levels;
- UNDP field offices, UNEP regional offices, and the other regional and field offices of the UN system should combine their skills and resources

In considering the review of program performance and the attainment of national objectives and targets, there was support for periodically updating the country reports presented to UNCED. These could be examined by the strengthened inter-agency mechanisms and the Commission for Sustainable Development proposed below, as well as by the donors' consultative groups and roundtables for each country.

2. General Institutions

The Working Group considered the ways in which the UN General Assembly and ECOSOC might help to create a global political consensus on sustainable development. It recognized the need for rationalization of the subsidiary bodies of both, and in this context noted the program of reform of the economic and social sectors of the United Nations initiated in 1991, and the expectation that a new Secretary-General would make important changes in the UN Secretariat. As an example of gaps in the existing institutional structure that needed to be filled, the Group specifically noted energy.

3. Improved Coordination

Inter-Agency Coordination for Sustainable Development. The Working Group considered sustained staff follow-up to UNCED vital. It proposed

strengthening the role of the Administrative Committee on Coordination (ACC) in this regard both through regular meetings devoted exclusively to sustainable development and through the establishment of a task force on the subject. The membership of the task force should include representatives of the international financial and other relevant institutions outside the UN system. In this fashion, the ACC could facilitate policy coordination among UN agencies and programs and different sectoral areas, and monitor progress. This task force could be chaired by a senior representative of the Commission for Sustainable Development proposed below.

Pending establishment of the Commission, an interim arrangement to facilitate coordination within the U.N. system would be to extend the functions of the UNCED secretariat, drawing primarily on existing inter-agency staff.

The Group supported the establishment of ad hoc working parties in sectoral and cross-sectoral areas -- similar to those established by UNCED -- which in consultation with government representatives would review relevant UN system activities, develop inter-agency projects, and make recommendations on future program activities. The Group agreed that provision should be made for advice from under-represented groups, especially women.

An Integrated Global Watch Mechanism. The Group believed that integrating social, economic, environmental and political information for assessing risks was essential. It recognized also that such risks might have security implications. It recommended new means for bringing together under the Secretary-General relevant data and information and for drawing to his attention and that of member states problems affecting sustainable development.

Looking at Something New

New international legal agreements, particularly an agreement on climate change, should be designed to lay the foundation for a coordinated international system for the protection of the environment and to contribute to the consolidation and rationalization of the existing UN system.

The Group noted recent proposals for the creation of an Environmental Security Council and use of the Trusteeship Council to consider sustainable development issues, and agreed that arrangements along these lines could involve amendment of the UN Charter and might raise significant political difficulties.

To ensure that sustainable development were treated as a high priority throughout the international system and given sufficient political impetus from governments, the Group recommended the establishment of an

intergovernmental Commission for Sustainable Development, which would meet annually at ministerial level. The Commission, which would report to the General Assembly through ECOSOC and act as the coordinating body of the UN system (~~although it would not, of course, cut across the responsibilities of individual agencies, programs or treaty bodies~~). It would concentrate on identifying needs and priorities for sustainable development and monitor progress on Agenda 21 and in the bodies likely to be set up by Conventions on such specific issues as climate change, forests, and biodiversity. Its functions would be deliberative, and it would provide policy guidance for the UN system and other institutions involved in sustainable development. The Commission would be serviced by a small secretariat, drawing upon the staffs of the international system.

Parallel with the Commission, an advisory committee of independent experts, including representatives of industry and the scientific and NGO communities, would be established as a source of expert advice and review. This Committee could subsume the functions of the Advisory Committee on Science and Technology for Development. The relationship between the Commission, the committee, and the Global Environment Facility (GEF) should be examined. Account should also be taken of the recent proposal for the establishment of an International Development Council.

The Group noted the proposal for a non-governmental commission of experts, along the lines of the Brundtland Commission, to formulate recommendations for institutional arrangements for sustainable development capable of meeting the challenges of the next century. Such a commission could explore in greater depth the range and scope of needed reforms in light of decisions taken at UNCED, and make recommendations to the 48th UNGA.

TECHNOLOGY

Defining the Problem.

Technology is a crucial component of progress towards sustainable development. This issue has usually been discussed under the rubric of technology "transfer" or, more recently, "cooperation". Neither term, in the Working Group's view, adequately describes the processes needed to move both industrial and developing countries on to a sustainable development path. These processes can perhaps best be summarized as technology development, both in industrial and developing countries, and technology diffusion within and between countries at all levels of development.

The Working Group's deliberations focused on ways in which these processes could be promoted, and the role that UNCED could usefully play through Agenda 21.

The Working Group underlined the importance of the 'soft technologies' of training, management and access to, and use of, information. Soft technologies were essential to the exploitation of the 'hard technologies' of plant and equipment. Many of the ideas discussed by the Group were directed to ensuring the diffusion of soft technologies to ensure that the diffusion of hard technologies would not be rendered ineffective by the inability to assimilate and exploit them in sustainable fashion.

National Capacity Building

The Working Group recommended that UNCED should focus particularly on ways in which the capacity of developing countries to develop and assimilate hard and soft technologies appropriate to sustainable development could be enhanced. Both international institutions and the private sector should ensure that their technology initiatives support agreed national strategies.

Donor programs should incorporate provisions for sustained technical training of indigenous experts and the development of maintenance and managerial capabilities. Such programs must ensure that traditionally excluded groups have the opportunity to participate, and must be subject to external review and public oversight.

Technology assessment capabilities should be strengthened in both the government and the non-government sectors in all countries so as to facilitate sustainable development.

International financial institutions should give priority to cooperating with private corporations and the technical assistance agencies to create the long-term infrastructure required to sustain technology research, development and

innovation in developing countries. Through university partnerships between industrial and developing countries, engineering and technical education should incorporate environmental considerations into technology research, development, application, maintenance, and management. Means should also be found to promote technology cooperation between small and medium sized enterprises in the private sector in the industrial and developing countries.

Ways needed to be found to encourage the return to their home countries of expatriate experts, who represent a reservoir of technical talent that could facilitate the diffusion of technology.

Regional Institutions and Initiatives

UNCED should encourage regional environment, economic and development organizations to coordinate and integrate their programs and policies to promote capacity-building at the regional level. In the long term, such regional organizations should aim to establish a network of institutions to facilitate technology diffusion through training, research and development, access to and dissemination of information, and exchange of experience. In this respect, the efforts of UNDP to create a Sustainable Development Network deserve encouragement.

UNCED should support the Global Change System for Analysis and Training (START) initiative under the International Geosphere-Biosphere Program. If the social sciences were included with the natural sciences, the START initiative could become a valuable tool for promoting sustainable development through new regional institutions.

UNCED should also encourage better use of consultative groups to strengthen regional and national capabilities to develop technologies for sustainable development, along the lines of the Consultative Groups on International Agricultural Research (CGIAR).

The Newly Industrializing Economies (NIEs) can play a special role in facilitating technology diffusion between industrial and developing countries and among developing countries. Donor agencies and countries should develop and fund such tripartite arrangements as Third Country Training Programs to support human resources development in developing countries in close cooperation with the NIEs.

Availability of and Access to Information

Ensuring that developing countries have access to information about environmentally sound technology for development should be a high priority. UNCED should look at practical ways to encourage the synthesis of

information on the range and scope of available technologies in key sectors. It would be useful to develop a network for synthesizing information on public service system technologies relevant to improving the urban environment, such as sewage and transport systems, and observation and monitoring.

International and non-governmental organizations should sponsor analyses of successes and failures in technology and support appropriately qualified institutions in the developing countries so that they may contribute to these analyses.

UNCED should call on the corporate sector to:

- cooperate in designing clearinghouse mechanisms and networking arrangements to disseminate information on technologies for sustainable development.
- cooperate with development agencies to create demonstration projects for key sectors and countries to carry out innovative approaches to technology cooperation.

NGOs should continue to gather and publicize information on environmentally-sound technologies and processes.

Market Incentives, Regulations and Standards

The Group stressed that national governments should develop regulatory frameworks to provide incentives for the use of environmentally sound technology in all sectors of their economies, including those that may still not be fully incorporated into the market system. It recognized the critical importance of motivating the private sector to develop and deploy more environmentally benevolent technologies. To this end, governments should provide a stable climate for technology investments; reform their existing budgetary and fiscal policies, particularly in the energy, agriculture and forest sectors; ensure that the environmental impacts of the exploitation of fossil fuels, water and other resources are reflected in their prices; and eliminate subsidies encouraging pollution and the use of technologies that are environmentally unsustainable .

Further study is needed of those areas in which protection for intellectual property rights is an impediment to the transfer of environmentally sound technology. The Group underlined the need to ensure that those who had developed ways of helping to preserve biodiversity should receive appropriate benefits and protection.

UNCED should call on the corporate sector to:

- suggest specific market based incentives that would motivate them to find and implement cost-effective solutions to environmental problems.
- identify areas in which high environmental standards are a priority and launch a coordinated program to encourage their diffusion through supplier and contractor arrangements.
- endorse the consistent application of environmental standards and guidelines in corporate practice at home and abroad.

Industrial country governments should provide appropriate incentives for corporations to engage in the diffusion of environmentally sound technologies.

Research and Development

UNCED should support initiatives to encourage research and development of environmentally sound technologies. In certain critical areas identified by UNCED, donor consortia, the private sector, and other non-governmental entities should collaborate in financing cooperative research and development in developing countries and regions. The Japanese New Earth 21 initiative is an example of an initiative of this kind that envisages broad international cooperation.

UNCED should recommend that methodologies be developed to apply full social cost pricing to technology research and development and technology assessment.

General

UNCED should endorse a statement of principles on technology, which should include such ideas as that technology diffusion is a two-way street within and among industrial and developing countries; that technology development and diffusion should both help avoid risks to the global environment and meet immediate basic needs for water, energy, food, shelter, transport, and income generation; that particular support should be given to managing population problems; and that countries with relevant technology have a special responsibility to assist other countries gain access, on mutually acceptable terms, to technologies that support sustainable development.

In support of these objectives, UNCED should identify those sectors where technology cooperation would make a substantial and immediate difference, for example, in energy, agriculture, waste reduction, water quality, chemicals, and population stabilization.

UNCED should identify key sectoral areas where analyses by international organizations, private research institutes, NGOs, governments, and private industry could identify specific and surmountable barriers to the diffusion of environmentally sound technology. Once specific barriers were identified, the need for concessional financing should be assessed, and appropriate measures implemented, for example by drawing on such funding mechanisms as the Global Environment Facility.

The industrial countries should be encouraged to apply far more widely in their own economies technologies for sustainable development, not least in the transport sector, in energy efficiency, and in the use of renewable energy sources. In addition, industrial countries need to devote greater attention to the problem of industrial conversion, including, but not limited to, the conversion of defense industries.

FINANCE

Defining the Problem

Finance will be one of the most critical issues in the UNCED process, on which the success of its other work will depend. Without adequate financial arrangements, agreements on institutional, technology and legal issues would be unlikely to succeed.

The effective participation of developing countries in creating national, regional and global conditions for sustainable development require substantial and adequate funding from a combination of public and private sources.

Existing financial difficulties are related to macroeconomic factors, including national economic policies, debt problems, terms of trade, commodity trends, and financial and investment flows. The Group recognized that the context for financing for sustainable development during the 1990s would be constrained, but that there were opportunities for making better use of existing resources, and for mobilizing additional ones should the UNCED process lead to agreement on well-structured, imaginative and practical measures.

In this context, discussion in the Working Group focused on:-

- financial needs;
- new and existing sources of finance;
- management of financial resources.

Financial Needs

Substantial and adequate financial resources are needed:

- In respect of achieving national sustainable development (otherwise than under specific international legal obligations) in order to:
 - develop and implement cost-effective national policies and programs for achieving sustainable development;

- design and implement investment programs in priority sectors to restore and ensure sustainable development;
 - develop indigenous human capacity, through education and training;
 - develop national monitoring, fact-finding and forecasting techniques and abilities;
 - integrate full social and environmental costs into economic activities, by adapting national accounting procedures;
 - identify, develop and market domestic, environmentally sound technologies, through improved research and development;
 - assist in meeting the costs of environmentally sound technologies;
 - assist in meeting basic poverty needs.
- In respect of environmental degradation and catastrophe, joint efforts to mobilize resources are needed to meet the cost of measures to limit such environmental degradation and to restore sustainable productive capacity.
- In respect of new international legal obligations, in order to:
- ensure that all developing countries are able to participate effectively in the negotiation of international legislative efforts relating to sustainable development, including through the development of indigenous human resources and the provision of technical assistance;
 - meet the incremental costs in developing countries of meeting international legal obligations that have global benefits;
 - help meet transitional costs, including lost opportunity costs, associated with meeting international legal obligations relating to sustainable development.

New and Existing Sources of Finance

The Group concluded that a combination of additional public and private resources from various sources should be used and further developed, on the basis of joint responsibility. In this regard, the Group recognized that international development is a phased process in which the early stages can require technical assistance and grant aid to strengthen human, institutional and infrastructure capabilities, and to carry out pre-feasibility studies which prepare the ground for non-concessional investments, the bulk of which have come from private loans. In this sense overseas aid can be the catalyst for sustainable development.

Much of the funding required for sustainable development could be found by the adoption by governments, and multilateral and regional development banks and the IMF, of appropriate national and international economic policies, reducing military expenditures, redeployment of those market interventions which encourage unsustainable development, the successful conclusion of the Uruguay Round, measures to cope with the burdens of debt, and the mobilization of private resources. In that regard, the Group reached the following conclusions:

1. Public Investment and Funding

Improving on existing uses of ODA. Efforts should be undertaken to make better use of existing bilateral and multilateral development assistance, including better targeting of resources towards sustainable development.

Meeting, and increasing, existing ODA obligations. Countries should pay outstanding contributions to international institutions relating to sustainable development, especially the Multilateral Fund established under the Montreal Protocol, the IBRD/UNDP/UNEP Global Environment Facility, UNFPA, and the voluntary Trust Funds established to ensure the full and effective participation of developing countries in the negotiations of Climate Change and Biodiversity Conventions and UNCED;

Consideration should also be given to increasing assessed and voluntary contributions to international institutions concerned with sustainable development and to funds under their control. In particular, substantial additional finance should be made available to UNEP.

In the interests of improving burden-sharing among industrial countries, those which have not already done so should make the effort to raise their overseas development assistance to internationally agreed targets.

2. Debt Relief

Public and private debt relief could become a significant source of finance, by providing relief from onerous obligations and releasing local currency funding. Further efforts should therefore be made to encourage "debt-for-sustainable development", by using, as appropriate, public and private sector debt to finance sustainable development programs in developing countries.

3. Fiscal Incentives, Market Mechanisms, and Charges.

Use of appropriate economic instruments should be considered at local, national, regional and global levels. In this regard UNCED should emphasize the importance of integrating full social and environmental costs into economic activities. Fiscal incentives and disincentives can be used to promote sustainable development.

Consideration should be given to market mechanisms to increase the efficiency of pollution control, including the possible adoption of tradeable emission permits at local, national, regional and global levels.

Consideration should also be given to appropriate and differential charges and user-fees at local, national, regional and global levels, for use of the global commons, including emissions and discharges into the atmosphere and oceans.

4. Free Trade and Private Investment.

Recognizing that free trade is crucial to improving national economic and financial capacity, access to markets should be improved by removing barriers to trade adopted by governments and regional integration organizations, especially those disguised as means of environmental protection.

To encourage direct foreign investment in sustainable development, incentives to encourage transnational corporations and industrial enterprises to invest in, and transfer environmentally sustainable technology to, developing countries should be explored.

The possibility of creating new private investment funds should also be explored as a means of channelling savings into companies in the developing world whose technologies and products can contribute to sustainable development.

Management of Financial Resources

A large proportion of the investment required to achieve sustainable development must come from the private sector in both industrialized and

developing countries, and recognized that more efficient management of public financial resources was critical to their catalytic role.

1. The management of global financial resources requires the active participation of, and close collaboration between, institutions whose activities influence the funds available for sustainable development. These include international and regional development finance institutions, bilateral development assistance agencies, UNDP, UNEP, UNCTAD, GATT, specialist funding arrangements (Montreal Protocol), developing country agencies and institutions, private foundations and corporations. A proliferation of management and administrative mechanisms for funding should be avoided.

2. Public financial institutions, as well as such other agencies as the GATT, should direct their activities to support sustainable development. In addition to public investment and higher priority being given to capacity building, programs should be designed to increase private sector and small-scale, grass roots lending activities.

In this regard, and in the context of the current GATT negotiations, particular attention should be given to:-

- harmonizing technical standards relating to environmental protection and sustainable development, while allowing higher standards to be adopted where appropriate;
- rationalizing lending programs in particular sectors and regions, seeking also to fill any gaps which may exist;
- committing such institutions to follow a Code of Conduct on Sustainable Development.

3. Lessons learned from existing multilateral funds and facilities should be closely analyzed, particularly those relating to:-

- the Multilateral Fund established under the Montreal Protocol;
- the IBRD/UNEP/UNDP Global Environment Facility (GEF);
- the UNEP Voluntary Fund;

4. The GEF, recently established as a pilot project for a period of three years under the auspices of the World Bank, UNDP and UNEP, constitutes an initiative which should be carefully monitored, evaluated, and improved upon. Considering that the management of resources for the Montreal Protocol are now incorporated within the GEF, UNCED could consider using

the GEF to serve as an umbrella multilateral organization for channelling additional resources linked to specific conventions, including the preparation of national strategies.

In particular issues such as governance, structure and scope, priorities in allocating resources should be set to respond to the specific requirements of each particular convention and the interests of the involved parties.

General

The Group recommended that detailed costings and estimates to assess financial needs to achieve local, national, regional and global sustainable development be undertaken on a sectoral and geographical basis so as to provide a solid foundation for the design and financing of sustainable development programs.

Considering the critical importance of finance in the UNCED negotiations, it is important to move as rapidly as possible to enlist the active support and participation of key financial institutions. The UNCED Secretariat should consider convening one or more informal Working Groups of representatives of the financial institutions identified above to begin the process of mobilizing financial resources as the preparations for UNCED proceed.

LEGAL ISSUES

Introduction

The frontiers of international environmental law need to be moved forward. Sustainable development requires the adoption of substantive legal obligations capable of effective and equitable implementation at national, regional and global levels.

The international law-making process needs to be enhanced. The effectiveness and usefulness of general international legal instruments on environment and development depends on the widest possible participation of all states in the negotiation of these instruments. Measures are needed to ensure the full and effective participation of developing countries in the negotiation of regional and global legal instruments, including building indigenous capacity and providing technical assistance.

Sustainable development could also be advanced by the elaboration of non-binding instruments, and the development of rules of customary international law, as well as general principles of law.

The use of international institutions and their respective organs in the development and implementation of new global and regional legal instruments should be consolidated. Due regard should be given to maintaining and developing expertise and continuity in the secretariats and staffs of such institutions.

International legal instruments should be adopted and implemented at the most appropriate level. In this regard, consideration should be given to developing regional legal instruments and protocols which integrate environment and development, taking account of the particular characteristics and needs of different regions.

In international law-making processes, obligations of countries should be commensurate with their contribution to the deterioration of the global commons and to the degradation of the environment and depletion of natural resources, particularly in relation to the provision of financial and technological assistance.

In international economic integration and free trade processes, specifically those involving both industrial and developing countries, provisions should be made to:

- ensure that those processes are conducive to sustainable development do not repeat economic development models, patterns and practices which have proved to be environmentally damaging and unsustainable;
- ensure that those processes do not perpetuate or take advantage of insufficient domestic environmental legislation, or its implementation, or of poverty conditions in developing countries.

After a wide-ranging discussion on legal issues, the Working Group made the following recommendations to assist UNCED in framing fundamental principles on general rights and obligations in the field of environment and development for possible inclusion in an Earth Charter, and in developing international environmental law in the light of the need to integrate environment and development.

Earth Charter

The Working Group discussed the desirability of incorporating into an Earth Charter to be adopted by UNCED principles on general rights and obligations of states and regional integration organizations, taking due account of all the regional preparatory conferences.

In the Group's view, the following points, which are neither comprehensive nor presented in any order of priority, should be reflected in the Earth Charter to develop the Principles to be found in the 1972 Stockholm Declaration:

- respect for intergenerational equity and responsibility;
- the responsibility of states, including, where appropriate, differentiated responsibility;
- the precautionary principle;
- recognition that international law on the environment should be mostly preventive in nature;
- the need for prior risk assessment and risk minimization;
- the principle of subsidiarity, namely that decisions should be taken and implemented at the lowest of the national, regional or global levels, depending on which is the most appropriate;
- recognition that threats to the environment may constitute threats to the maintenance of international peace and security;

- full integration of social and environmental costs into accounting and costing processes;
- liability for environmental damage;
- introduction of sustainable development into international law-making and decision-making;
- the rights of individuals, groups and organizations to:
 - express their views freely;
 - obtain, publish and distribute information without legal or administrative impediment;
 - participate fully in legislative, administrative and judicial processes, including environmental impact assessment procedures;
- the obligation of states, international institutions and regional integration organizations to:
 - provide free, open and effective information;
 - exchange information;
- protection of the livelihood and culture of indigenous peoples from activities which might adversely affect their natural environment;
- the principle that all persons should have access to, and sustainable use of, the resources of the global commons;
- recognition of the contribution to sustainable development from enhancement of the role of women in the development of international environmental law.

Development of International Environmental Law.

The Working Group discussed possible areas for the development of international environmental law, in the light of the need to integrate environment and development and taking into account the special needs and concerns of developing countries.

The Working Group believed that the International Law Commission could make an important contribution to the further development of international environmental law.

The Working Group agreed that, in addition to adopting an Earth Charter declaring basic rights and obligations of States, as well as regional integration organizations, and of non-governmental entities in the field of environment and development, the substantive rules of international law of environment and development should be developed by:

- establishing appropriate rules relating to trade and environment, particularly by
 - ensuring that international trading arrangements, including the GATT, promote sustainable development;
 - ensuring that national standards or rules of environmental protection are not used for protectionist purposes;
 - convening the GATT Environment Committee to assist in defining how trade measures can properly be used for environmental purposes;
- rationalizing, and improving on, existing instruments establishing ecological reserves;
- identifying any gaps in legal regimes; developing where necessary new regional and global instruments where gaps exist in existing instruments; closing gaps; and in the light of the principles and points identified as requiring reflection in the Earth Charter, including for international environmental law:
 - forests;
 - oceans, regional seas and coastal zone management;
 - soil erosion and desertification;
 - atmospheric pollution;
 - conservation of marine resources, including driftnet fishing;
 - environmental protection clauses in law of warfare;
 - management of freshwater resources, including groundwater;
 - the cryosphere;
 - vulnerable ecosystems.
- harmonizing standards of, as well as approaches to, existing regional and global legal instruments, while allowing the adoption of higher standards where appropriate, and ensuring the compatibility of new instruments;

- where appropriate, harmonizing national regulatory standards on a regional basis, and within or between states;
- further developing rules of intergenerational equity and responsibility, as well as the rules of liability for environmental damage;

The Working Group agreed that the implementation of regional and global international law of environment and development should be strengthened by:

- encouraging the appropriate and necessary conditions for greater accession to, and ratification of, international legal instruments, including the identification and removal of impediments, and the development of appropriate techniques, such as the use of grace periods for developing countries;
- developing and enhancing monitoring and reporting techniques and requirements, particularly through building indigenous capacity in developing countries;
- improving flows of information to and between States, regional integration organizations and non-governmental entities by developing regional and global legal instruments to ensure
 - the right of effective access of all persons to environmental information;
 - appropriate participation in environmental impact assessments of activities and policies which might have an international impact;

and, to that end, identifying an appropriate international institution, such as UNEP or UNDP, which could develop and manage a computerized data-base system;

- ensuring the incorporation of international legal obligations into national legal systems;
- developing improved techniques for the prevention of conflicts, including fact-finding mechanisms;
- further developing mechanisms and techniques for reviewing the effectiveness and implementation of international legal instruments;

- minimizing the legal, economic and social costs of achieving environmental goals;
- improving the compulsory settlement of disputes relating to environment and development, by inter alia,
 - enhancing the role of the International Court of Justice, taking advantage of the facilities provided for by its Statute and Rules of Procedure;
 - considering the establishment of an international center for the settlement of environment disputes (ICSED), to arbitrate on disputes between states, or between states and non-governmental entities;
 - considering the establishment of international procedures to enable individuals and associations of individuals to seek redress against governments which breach their obligations under international environmental law;
 - developing the role of national and regional courts and tribunals in enforcing national, regional and international rights and obligations.

The Role of Non-Governmental Entities.

The role of non-governmental entities should be developed by, inter alia:

- ensuring their participation, as appropriate, in the international decision-making process;
- encouraging their role in implementing international obligations and standards at the national, regional and global level, as appropriate;
- enhancing national and local legal and other remedies available to non-governmental entities for the implementation of standards and obligations, without discrimination on the grounds of nationality, and on the basis of the right of equal access in the context of transboundary claims.

ANNEX 1

**Aspen Institute Working Group on
International Environment and Development
Policy**

Aspen, Colorado • July 18-25, 1991

Chairman: Sir Crispin Tickell

List of Participants

Chester Cooper	Resources for the Future
Angela Cropper	Consultant, Development Policy and Planning, Trinidad and Tobago
Christine Dawson	Policy Planning Staff, U.S. Department of State
Lars-Göran Engfeldt	Deputy Permanent Representative of Sweden to the United Nations
Fabio Feldmann	Federal Deputy, Camara dos Deputados, Brazil
Luigi Ferrari Bravo	Chief, Servizio del Contenzioso Diplomatico, Ministry of Foreign Affairs, Rome
Robert Fri	President, Resources for the Future
Shinji Fukukawa	Executive Vice President, Kobe Steel, Ltd.
Burhanudeen Gafoor	Permanent Mission of Singapore to the United Nations
Richard Gardner	Professor of Law, Columbia University
Genady Golubev	Professor, Faculty of Geography, Moscow State University
Scott Hajost	Environmental Defense Fund
David Hopper	Senior Vice President, Haldor Topsoe, Inc.
Ashok Khosla	President, Development Alternatives, India

Ismat Kittani	Consultant to the Secretary-General, UNCED
Warren Lindner	Executive Director, Center for Our Common Future, Geneva
James MacNeill	Senior Fellow, Institute for Research on Public Policy, Ottawa
Christopher Makins	Vice President, Policy Programs, Aspen Institute
John Martin	U.K. Permanent Mission to the United Nations
William Nitze	President, Alliance to Save Energy
R. K. Pachauri	Director, Tata Energy Research Institute, India
Jane Pratt	UNCED Coordinator, The World Bank
Atiq Rahman	Director, Bangladesh Centre for Advanced Studies
Francisco Sagasti	Senior Advisor, EXTDR, The World Bank
Mahamed Sahnoun	Diplomatic Advisor to the President of Algeria
Pavol Sepelak	Czechoslovak Permanent Mission to the United Nations, New York
Alberto Szekely	Mexico
Augustus Tanoh	Executive Director, Finance and Administration, Ghana National Petroleum Corporation
Peter Thacher	World Resources Institute
Crispin Tickell	Warden, Green College, Oxford
Edith Brown Weiss	Office of the General Counsel, Environmental Protection Agency
Hugh Wynne-Edwards	Chief Executive Officer, Terracy Inc.
Taizo Yakushiji	Professor, Keio University
Ruqiu Ye	Professor of Environmental Chemistry, National Environmental Protection Agency, China

Rapporteurs

Lee Kimball

Senior Associate for Institutions, World Resources
Institute

Philippe Sands

Director, Centre for International Environmental
Law

Program Assistant

Stephanie Nelson

The Aspen Institute



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

NATURAL RESOURCES DIVISION

DATE: 8-6-91 PAGES FOLLOWING 20

TO: Distribution


FROM: NORMAN HARTNESS

(202) 395 - 6840 FAX (202) 395 - 6899

COMMENTS: A U.S. response on UNCED
atmospheric issues to be
added to those transmitted 8-5

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 5, 1991

TO: Distribution List
FROM: Norman Hartness 
SUBJ: Note re U. S. UNCED paper for August 12
Preparatory Committee meeting August 12 - Sept. 4 in
Geneva - Protection of the Atmosphere.

Attached is a document, A/CONF.151/PC/42/Add.1, prepared by U. N. staff to serve as the basis for discussions at the August 12th meeting seeking agreement on options which relate to atmospheric issues. "Agenda 21" is seen as a set of options which will be agreed upon for implementation during the next decade and the 21st century.

Also attached are papers prepared by U. S. agency staff as a response to this U. N. Options for Agenda 21 paper:

Topic Update - Climate Change (3 pages)
Statement by the U.S. Delegation on Climate Change (3 p.)
Sectoral Issues Related to Climate Change (6 p.)
Supplemental Points: Sectoral Issues (4 p.)
Topic Update: Transboundary Air Pollution (4 p.)
Supplemental Points: Ozone (2 p.)

Please review the U. S. draft papers, identify any problems, and return your comments to us not later than COB Wednesday, August 7th. [Telephone: 395 - 6840 FAX: 395 - 6899]

Distribution List:
Richard Porter, WHO
Jim Fitzhenry, WHO
Theresa Gorman, OPD
Ken Yale, OSTP
Fred Bernthal, NSF
Chris Dawson, State Dept.
Gary Evans, USDA
Barry Hartmann, DOJ
Alan Hecht, EPA
Jeff Holmstead, WHO
Ed Cassidy, DOI
J.R. Spradley, DOC/NOAA
John Cohrssen, OVP
William C. Bartley, USTR
Linda Stuntz, DOE
Ray Squitieri, CEA
Bob Watson, NASA

OPTIONS FOR AGENDA 21 RELATED TO CLIMATE CHANGE

STATEMENT BY THE UNITED STATES

Preparatory Committee for the
UN Conference on Environment and Development

Mr. Chairman, the United States once again expresses its respect for the considerable effort that went into producing document A/CONF.151/PC/42/ADD.1 on climate-related "Options for Agenda 21". Upon reading, it is clear that this paper follows from document A/CONF.151/PC/60 on "Sectoral Issues" related to climate change. Both documents reveal a commendable desire by the Secretariat to help this Preparatory Committee set the stage for a successful and productive Conference.

As one document flows from the other, however, it is not surprising that both would raise similar concerns. In both cases, the United States is deeply concerned that all the necessary linkages have not been fully examined and that we are encroaching on the jurisdiction of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change.

Decision 2/8 of the Prepcom requested the Secretary General to "investigate further the interconnections between the issue of climate and environmental and developmental issues at national, regional and global levels, covering agriculture,

- 2 -

biodiversity, energy, forestry, industry, oceans, transport and cross-sectoral issues, and to report to the Preparatory Committee at its third session, in order to enable it to consider at that session the preparation of related proposals for discussion...." Thus, we had expected this document to help us consider proposals related to these linkages between various environmental and economic issues, and among sectors. This is a critical role for UNCED to play: to bring together the separate analyses ongoing in different fora and to help integrate environmental and developmental needs.

Like the paper on Sectoral Issues, however, this document focuses almost exclusively on making specific policy recommendations to address one environmental issue - climate change - through one sector - energy. This lamentably does not sufficiently assist us in our consideration of the many interrelated sectors and issues, such as linkages between proposed response strategies in the industrialized countries and economic growth in the developing countries. How then are we to develop proposals that adequately consider such linkages?

Ideally, the background document on Sectoral Issues would have provided information on or analysis of the linkages and this document would have based its discussion on that information and analysis. But because the Sectoral paper concentrated instead on making policy recommendations primarily

- 3 -

in one sector and did not investigate the cross-issue or cross-sectoral questions, we do not have before us the analysis and information supporting these options for Agenda 21.

This lack of analysis of the linkages between sectors and issues also results in marked differences in the approaches advocated in the different papers on the various sectors. For instance, in the discussion of climate change in the background document on forests, A/CONF.151/PC/64, paragraph 172 states that the use of forests as sinks might be expanded "where it is ecologically viable, socially acceptable, and economically feasible in the broadest sense." These are useful criteria that should be applied in determining responses to a variety of other environmental issues, including climate change. Yet nowhere in the Agenda 21 options paper on climate change do we find an acknowledgement that other environmental, social, political or economic factors should be considered in choosing response strategies.

Also like the background sectoral document, this option paper focuses almost exclusively on policy recommendations to address climate change even though paragraph 5 explicitly notes that the INC will be negotiating the very same issues this paper raises. In delineating such recommendations, this document impinges on the responsibilities of the INC as the single negotiating process for climate change. As we stated

- 4 -

earlier, this is contrary to UNGA resolution 45/212 and decision 2/8 of this Preparatory Committee. In this respect, paragraph 8 rightly assigns the responsibility for determining commitments to the INC. Paragraph 9 similarly accedes responsibility to the parties to the Montreal Protocol for negotiating commitments to protect the ozone.

In this paper also there is no consideration of the other sources and sinks of greenhouse gases. Even if it were our role in the Preparatory Committee, this failure to be comprehensive makes this paper of limited value in suggesting appropriate responses to climate change. The essential need to take a comprehensive approach to climate change was reflected in the First Assessment Report of the Intergovernmental Panel on Climate Change, the Ministerial Declaration of the Second World Climate Conference, and the carefully crafted terms of reference for the two INC Working Groups. Both this paper and the Sectoral paper, on the other hand, adopt a narrow approach that runs the risk of being unnecessarily costly and environmental counterproductive.

Because of this paper focusses narrowly on policy recommendations related to energy and climate change, the United States strongly believes that it would be inappropriate to develop Agenda 21 items based on this paper or the Sectoral Issues paper. Rather than engage in a duplicative and

inappropriate discussion, we strongly suggest that development of these Agenda 21 items be deferred to the next session of the Preparatory Committee. We will, we hope, have the benefit of further elucidation of the important linkages among environmental and development issues by then. We should also have a better perspective on the precise results of the INC negotiations will be more apparent then.

We look forward to that discussion.

A/CONF.151/PC/42/ADD.1

Page 1

U.S. RESPONSE

=====

DOCUMENT NO: A/CONF.151/PC/42/ADD.1

TITLE: Protection of the Atmosphere: Options for Agenda-21
Report of the Secretary-General of the Conference

INTRODUCTION

1. This paper was prepared by the Secretariat in response to the decision of the Preparatory Committee at its second session, in which the Secretary General was requested "...to investigate further the interconnections between the issues of climate and environmental and developmental...and cross-sectoral issues, and to report to the Preparatory Committee at its third session, in order to enable it to consider at that session the preparation of related proposals for discussion at the United Nations Conference on Environment and Development". 1/

2. As explained in the background paper 2/, the main atmosphere issues are linked to each other, to other issues, and to sectors. Background papers on Transboundary Air Pollution 3/ and on the Protection of the Ozone Layer 4/ have now been prepared. As the key sources of climate change, and other atmosphere-related problems are the sectors using and converting fossil fuels, the major response options lie in this area. This paper suggests possible response options for Agenda-21, concentrating on the energy sector. Options for areas, such as Oceans, Forests, Agriculture and Water are available in other papers prepared for the Preparatory Committee.

U.S. Position:

Decision 2/8 specifically charged the Secretary General with exploring the linkages between climate change and other environmental issues and between sectors. By focussing instead on making policy recommendations in primarily one sector - energy - to address one issue - climate change - this document raises three major concerns: (1) it does not ensure that these linkages are fully considered, (2) it intrudes on the role of the INC as the single negotiating process on climate change, and (3) it fails to take a comprehensive approach to climate change.

Moreover, the background document on Sectoral Issues did not provide sufficient information or analysis even of the energy

A/CONF.151/PC/42/ADD.1

Page 2

sector, instead concentrating on policy recommendations which are repeated and expanded in this document. Thus the rationale for the options presented in this document is not clear.

Rather than discuss options based on this document and the sectoral paper, therefore, the Preparatory Committee should request further elucidation of the linkages between climate change, development, and other environmental issues.

Suggested Revisions:

- o Delete the last three sentences of paragraph 2 beginning with "As the key sources of climate change,...."
- o Replace them with "Background papers have been prepared for the other environmental issues to be addressed at the UNCED. Further analysis of the linkages between these issues is necessary for later consideration by the Preparatory Committee."

3. Energy is necessary for development. Its production and use, however, are the sources of the most serious local, regional and global environmental problems, and consequently are constraints to sustainable development. The overall environment-development objective requires that sufficient energy be available in forms that are environmentally sound. Energy efficiency measures, the promotion of environmentally sound energy systems, and programmes to reduce wasteful energy consumption patterns are essential in the achievement of these objectives.

U.S. Position:

It is not clear that energy is the source of the most serious environmental problems. Ozone depletion, for example, is not principally due to energy sector activities. In any case, comparing the severity of environmental problems does not seem like a very useful exercise, particularly in a paper intended to address linkages between issues and sectors. Nor is it clear that energy production and use is necessarily a constraint on sustainable development, particularly as this paragraph acknowledges that it is a necessary condition for development.

Suggested Revisions:

- o Delete the second sentence of paragraph 3.
- o In the last sentence change the unnecessarily normative phrase "programmes to reduce wasteful energy consumption" to "energy conservation programmes".

A/CONF.151/PC/42/ADD.1

Page 3

4. It is recognized that some of these goals cannot be accomplished overnight, especially in the developing countries. Current energy consumption levels are so low in some of them that increased energy use will be essential, even to attain basic standards of economic welfare.

U.S. Position:

The United States recognizes that energy production and consumption is a necessary condition for economic growth. Given that low-polluting technology can be developed and employed, however, increased energy services does not necessitate linearly increasing pollution.

5. The paper starts with overall Atmosphere-wide Goals, followed by five Proposed Programme Areas. A number of actions are listed under each programme area. More details concerning these actions will be developed by the fourth session of the Preparatory Committee. Many of the goals and objectives referred to in this paper will either be negotiated by or coordinated with the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change. Close cooperation of the UNCED preparatory process with the INC process, thus continues to be important.

U.S. Position:

Insofar as the INC is the single authorized negotiating process, all goals and objectives for addressing climate change must be developed by the INC alone.

Suggested Revisions:

- o Delete "...either...." and "... or coordinated with...." in the fourth sentence.
- o Change the last sentence to read "Thus it continues to be important that the UNCED preparatory process be kept informed of progress in the INC and that the UNCED Preparatory Committee endeavour to ensure that the INC is kept aware of the linkages between climate change and other environmental and developmental issues."

6. There needs to be sufficient funds available, especially for the developing countries, to enable the transition to a more sustainable energy future, especially through capacity building, technology development and transfer. New ways of raising large amounts of funds need to be found, and existing financial institutions need strengthening. Some of these issues are dealt with in this paper, under each of the proposed programme areas. Others are dealt with in the cross-sectoral papers prepared for the

A/CONF.151/PC/42/ADD.1
Page 4

Preparatory Committee on financial resources and technology.

U.S. Position:

- o The United States believes that existing financial resources can be employed to promote development that is more environmentally sound.
- o Moreover, financial resources should be tied to the level of incremental costs incurred. More analysis is necessary to establish what those costs might be in light of the specific obligations imposed and taking into consideration the unique characteristics of each country. In fact, the sectoral paper asserted that a number of measures would involve no or very little costs.
- o The United States believes that the Global Environmental Facility would be the appropriate mechanism for providing financial assistance to cover any incremental costs incurred by developing countries in addressing global environmental issues.
- o Also, mechanisms other than central funds, such as debt-for nature swaps, might be employed where appropriate.

Suggested Revisions:

- o Delete the phrase "New ways of raising large amounts of money need to be found and...." so that the second sentence now reads "Existing financial institutions need strengthening."

ATMOSPHERE-WIDE GOALS

7. Some of the atmosphere-wide goals are now under negotiation in other fora. Their full quantification needs to wait for these processes to conclude. However, actions which could contribute to those goals can be initiated even now. Other, longer term goals will need to be developed by the Preparatory Committee.

U.S. Position:

The INC, the parties to the Montreal Protocol and the parties to LRTAP have the responsibility for developing both short-term and long-term goals and actions to address, respectively, climate change, ozone depletion and the only established case of multilateral transboundary air pollution. The role of UNCED should be to ensure that the linkages among environmental issues, and between these issues and development issues, are fully elaborated. UNCED should ensure that these other fora are informed of these linkages.

It is not possible to elaborate actions to support goals that are being elaborated elsewhere without prejudicing the

A/CONF.151/PC/42/ADD.1

negotiation of those goals. Thus, UNCED should not endorse specific actions to address climate change; these must await the conclusion of the INC negotiations. Similarly, because ozone depletion and transboundary air pollution are already being addressed in other fora, UNCED should not call for new actions that go beyond the goals already elaborated in those fora.

It is also not possible for UNCED to elaborate longer term goals on any of these specific issue without pre-empting or, at least, duplicating the work underway under the INC, Montreal Protocol or LRTAP.

Thus, the United States believes that the commitments and actions described in paragraphs 8-12, as they deal with specific issues, should be elaborated in the appropriate fora, not UNCED. As described below, the Preparatory Committee could encourage participation in these fora or the establishment of similar fora, where appropriate.

Suggested Revisions:

- o Replace paragraph 7 with: "Goals related to climate change are now under negotiation in the Intergovernmental Negotiating Committee. Goals related to the protection of the ozone layer have been established and are subject to review under the Montreal Protocol. While other types of transboundary air pollution have not been addressed in a global legal instrument, several bilateral, as well as the UNECE Convention on Long-Range Transboundary Air Pollution, have addressed these issues. The Preparatory Committee might elaborate how these discussions in these fora relate to other environment and development issues, to insure that the linkages among these atmospheric issues, other environmental issues and development issues are adequately considered."

GHG/Ozone Depleting Substances Emissions Limitations

8. Commitments for greenhouse gas emissions and sinks, as negotiated by the Intergovernmental Negotiating Committee.
9. Commitments for ozone-depleting substances, as negotiated and agreed under the Montreal Protocol.

Reducing Air Pollution

10. Commitments for emissions of SO_x, NO_x, and VOCs, as exemplified by the protocols to the Convention on Long Range Transboundary Air Pollution (LRTAP), and further efforts for reducing emissions of toxic heavy metals and persistent organic

A/CONF.151/PC/42/ADD.1
Page 6

compounds.

11. Development of authoritative guidelines for ambient air quality, taking into account human health risks and, as appropriate, other environmental risks of major air pollutants.

12. Efforts by developing countries to reduce human exposure to excessive air pollution (including indoor) from domestic biomass and fossil fuel burning, especially as it affects women and children.

PROPOSED PROGRAMME AREAS:

13. The following major energy-related programme areas are proposed as options for consideration by the Preparatory Committee;

PROMOTING THE ENERGY TRANSITION
INCREASING ENERGY EFFICIENCY
PROMOTING ENVIRONMENTALLY SOUND ENERGY SYSTEMS
PROMOTING SUSTAINABLE ENERGY CONSUMPTION PATTERNS AND
LIFE STYLES
ADDRESSING THE UNCERTAINTIES: THE ATMOSPHERE

14. Each of these will help in the achievement of one or more of the Atmosphere-wide Goals, as well as for other issues. Within each programme area, a number of actions will need to be undertaken. A number of these need to be undertaken for more than one programme area.

U.S. Position:

It is not clear that these programs will necessarily achieve, much less are the best way to achieve, the goals elaborated in paragraphs 7-12. For instance, how much does the energy sector have to do with ozone depletion? Moreover, all other factors contributing to climate change - about half of current human contributions - are ignored.

On the contrary, these programs have been suggested pursuant to a decision specifically on climate change, and are intended to address that one issue. Thus, such programs should be elaborated by the INC, not the UNCED, in a comprehensive fashion. Rather than endorse these narrow programs, the Preparatory Committee should instead concentrate on further elaboration of the linkages between climate change and other environmental, and developmental, issues.

Suggested Revisions:

- o Delete paragraphs 13-41 pending further elaboration of

A/CONF.151/PC/42/ADD.1
PAGE 7

linkages, and development of options addressing those linkages, not specific environmental issues or sectors.

A. PROMOTING THE ENERGY TRANSITION

Basis for Action

15. A number of actions will be required to support the overall transition to a more sustainable energy future, independent of the fuel source, or the energy consumption sector concerned.

Objectives and Goals

16. Countries and international organizations could take steps to ensure that data and information required for the energy transition will be developed, and made available.

17. Countries and international organizations could ensure the availability of capacity, especially in developing countries to undertake the necessary technical, research, development and implementation measures.

Suggested Revision:

- o In paragraph 17, change ".... ensure the availability of capacity,...." to "endeavor to facilitate the development of capacity,...."

Activities

18. National Energy-Environment Accounts are key prerequisites for understanding the energy system, and preparing policy interventions for increased energy efficiency, and other energy sector activities.

- a. Country-level energy-environment accounts, coordinated at the regional level, as appropriate, could be developed, and made widely available [by 1995-1997].
- b. Countries could make available by the same dates, detailed studies of the costs of different energy paths, particularly in respect of greenhouse gas reduction strategies.

U.S. Position:

The obligations for exchanging information related to climate change is subject to negotiation under the INC. A process for sharing information and analysis related to climate change has been established under the Intergovernmental Panel on Climate

A/CONF.151/PC/42/ADD.1

Page 8

Change (IPCC). Involvement of the Preparatory Committee in this exchange would pre-empt the work of the INC, or at least duplicate the work of the IPCC.

Suggested Revision:

o Delete "..., particularly in respect of greenhouse gas reduction strategies."

c. The relevant UN bodies could coordinate the development of methodologies for country-level integrated energy-environment accounting, promoting harmonized data presentation and analysis.

19. Least-cost Energy Planning can be useful for making cost-effective choices.

a. Least-cost energy planning could be adopted by countries, and promoted in the private sectors using real cost prices, with a longer term aim of using full economic and environmental costs.

U.S. Position:

The United States supports the adoption of least-cost energy planning and has undertaken a number of steps to promote it in the United States.

20. Pricing and other Economic Mechanisms will be essential elements:

a. Governments and UN and other international organizations could, in collaboration with the private sector, promote policy research on, and implementation of, measures to achieve energy-related goals by utilizing market, competitive and pricing mechanisms (e.g taxes, tradeable entitlements, incentives and disincentives, etc.), and could exchange information on the relative effectiveness of various policies and techniques.

U.S. Position:

The United States supports the use of market mechanisms to achieve appropriate environmental goals.

21. Education and Information concerning the role of, potentials for, and different possibilities of energy efficiency are crucial, both at national and international levels.

A/CONF.152/PC/42/ADD.1

Page 2

- a. Education and awareness raising programmes concerning energy efficiency, environmentally sound energy systems, could be introduced or intensified in all countries.

U.S. Position:

The United States believes that education and public awareness program are an important component of most environmental programs.

- b. The relevant UN bodies, in cooperation with governments and NGOs, could intensify efforts at collecting, analyzing and disseminating to key target groups relevant information.

22. Capacity building will be crucial to allow developing countries to develop and implement environmentally sound energy technologies and system, at local regional and national levels.

- a. The relevant UN bodies and international donors, in cooperation with governments and NGOs, could provide substantially increased technical and financial assistance to developing countries to building up their technical managerial, planning and administrative capacities to enable them to develop, and implement environmentally sound energy systems.

U.S. Position:

The United States believes that capacity building is broader than climate change and should be incorporated into countries' overall development strategies.

Moreover, existing financial resources can be employed to promote development that is more environmentally sound. Moreover, financial resources should be tied to the level of incremental costs incurred. More analysis is necessary to establish what those costs might be in light of the specific obligations imposed and taking into consideration the unique characteristics of each country.

Suggested Revisions:

- o Delete ".... substantially increased...."

23. Changes to Existing and New Mechanisms of technical and financial assistance are needed at national, regional and global levels. Within the UN, as there is no lead agency responsible for energy, there are two options: strengthening of the existing, diverse capacities, and creating new coordinating or implementing

A/CONF.151/PC/42/ADD.1
Page 10

Institutions.

- a. The UN could mandate an independent, high-level energy efficiency commission, to undertake advocacy role at the international level on energy efficiency and environmentally sound energy systems.
- b. UN System activities presently dealing with energy need to be strengthened, to ensure that efforts are concentrated on increased environmentally sound energy system utilization.
- c. The UN could set up a new institution to deal with energy. A number of options are possible, including:
 - (1) UN Energy Co-ordination Unit, with small secretariat, improving coordination of energy-related activities.
 - (2) Central UN Energy Programme, with modest funding, with catalytic, coordinating role;
 - (3) Central UN Energy Agency, with large funding, undertaking the whole spectrum of energy-related activities;
- d. Relevant UN bodies could set up "collaborating centers" with existing or new governmental or non-governmental institutions to assist countries and UN agencies to implement environmentally sound energy activities.

U.S. Position:

The United States believes that the Global Environmental Facility should be the umbrella mechanism for supporting environmental projects having global environmental benefits.

The United States could not support the creation of such UN institutions, as described in subparagraphs a-c, without a much better understanding of the terms of reference for the group, a clear determination of a need that could not be fulfilled by existing institutions either within or outside the U.N. system, a demonstration of suitable expertise to fulfill its functions, and an understanding that any such institutions would be funded from existing U.N. resources.

Suggested Revisions:

- o Delete the term ".... and financial...." in the first sentence.
- o Replace the second sentence with "Further consideration should be given to methods for according energy a higher priority

A/CONF.151/PC/42/ADD.1
Page 11

- within the UN, making maximum possible use of existing institutions."
- o Delete subparagraphs a-c.

 - e. Countries could ensure that public financial institutions, at the national and international level, review their programmes to determine the extent to which they are contributing to or promoting investments that encourage the use of environmentally sound energy systems.

U.S. Position:

The United States agrees that methods for using existing institutions and resources to better serve both environmental and development objectives should be fully explored.

B. INCREASING ENERGY EFFICIENCY

U.S. Position:

In general this section relies too heavily on setting standards, creating administrative barriers to further efficiency improvements, rather than creating incentives for the continual development and dissemination of new technologies. No or little consideration is given to other factors, such as economic cost, in proposing these measures. In some cases, such as in subparagraph 27e, policies are recommended without an indication of how these might be implemented.

Basis for Action

24. While energy efficiency is now widely regarded as a key area for action in all countries, and because it has the technical potential for producing quickly, multiple and permanent environmental and economic benefits, it has to be pursued much more vigorously than hitherto.

Objectives and Goals

25. Each country could increase its institutional capacities and policy focus to support the management of energy demand and, where appropriate, the reduction of fossil fuel use or its growth per unit of output in the major energy-using sectors.

Activities

26. Setting targets and developing legislation, regulations and other institutional arrangements will be crucial for promoting

A/CONF.151/PC/42/ADD.1

Page 12

energy efficiency, and environmentally sound energy systems, both at the national and international levels.

- a. Countries could set energy efficiency standards on specific technologies and for economic sectors, as appropriate. These could be coordinated at regional levels, where relevant.

27. The transport sector raises in particularly acute form the conflicts between energy, environment and development and the wide ranging responses that might be applied to them. Given the importance of the automobile as an energy (fossil) user, and as a major polluter, automobile efficiencies and emissions must be the focus.

- a. The relevant UN bodies, in cooperation with regional organizations could invite, through an international conference, major motor vehicle [aircraft and ship] manufacturers to agree on progressively increasing fuel performance and emission standards, to be harmonized between different transportation sectors where appropriate.
- b. Countries could set up their own national fuel performance and emission standards, to be coordinated regionally or globally, as appropriate, and to be compatible with internationally accepted criteria and norms.
- c. Countries could introduce, or strengthen pricing, and other economic mechanisms, which discourage large fuel-consuming and polluting vehicles and encourage alternative fuels.
- d. Countries could review the means at their disposal to promote more efficient and less polluting mass transit, and prepare appropriate plans to implement these.
- e. Countries could promote life styles and economic activities which require less travel, through improved telecommunications, and appropriate spatial redistribution of living/working space.

C. PROMOTING ENVIRONMENTALLY SOUND ENERGY SYSTEMS

Basis for Action

28. Most of the energy produced and used today is done in unsustainable ways. We must move toward a transition to Environmentally Sound Energy Systems (ESES). On the one hand, we

A/CONF.151/PC/42/ADD.1
Page 13

must use the conventional energy sources, such as fossil fuels, nuclear energy, traditional biomass, etc., in ways which respect the environment. There is a considerable scope for improvement in all the sectors. More importantly, we must pursue vigorously the path to increased reliance on renewable, environmentally sound energy systems.

Objectives and Goals

29. The long-term objective is to implement an energy transition from the present fossil-fuel-based culture to one relying on environmentally sound energy systems (ESES). During the transition, fossil fuels will continue to be important. It is essential that new developments employ the most efficient and least polluting technologies.

30. Countries could set objectives of increasing the percent and absolute contribution of ESES to the supply mix. Regional and global indicative targets could also be set, and national and international figures for reliance on ESES could be made available. Countries could also set objectives for increasing reliance on specific renewable ESES, such as biomass, or solar.

U.S. Position:

It is not clear how a system could be determined to be environmentally sound at any one point in time, or how such determinations could be revised in a timely manner with improved scientific understanding and technological development.

31. An additional objective is to increase the amount of money devoted to research and development for ESES, both in absolute terms, and relative to the amount spent on conventional energy. The long-term objective is to reverse the present trends where most money is spent on conventional energy systems.

Activities

32. Setting Targets in the renewable ESES area will be crucial for success, both in terms of the desired level of use, and in terms of financial and other commitments of governments to reach those targets.

- a. The relevant UN bodies, in cooperation with governments and NGOs could develop mutually agreeable criteria, on a national or regional scale, as appropriate, for the classification of energy systems as environmentally sound (ESES).

A/CONF.151/PC/42/ADD.1
Page 16

U.S. Position:

The United States would be concerned that the development of such classifications could create an administrative barrier to further, environmentally sound innovation. How would these classifications be kept up-to-date with the latest technological and scientific advances? What one body could possibly review all the scientific, environmental and economic research related to environmental issues, as well as the developing products and technologies, in a timely manner? A more dynamic, effective and efficient approach would be to use market-based mechanisms to reduce externalities, and allow industry to develop and deploy the increasingly sound energy systems.

- b. Following evaluation, countries could classify their energy supply systems, and set up targets for ESES's contribution to the overall supply mix, both in absolute and in percentage terms.
- c. Countries, as well as regional and international bodies, could agree to review research priorities to ensure substantially increased funding to research and development on ESES, particularly on renewable energy systems, to a level where ESES receive the majority of R&D funding by [2000].
- d. Developing countries could promote alternatives to fuelwood, where its use causes unsustainable environmental stress.

D. SUSTAINABLE ENERGY CONSUMPTION PATTERNS AND LIFE STYLES

Basis for Action

33. Basic energy service needs of a large number [#,### millions] of people are not being met. There must now be a concerted effort to provide everybody with sufficient energy services for sustainable livelihoods.

U.S. Position:

Per capita energy use is not an accurate measure of the standard of living. Undoubtedly, energy is one of many inputs needed for economic growth and development. But any particular level of energy consumption is not sufficient in itself to ensure a desirable standard of living. Moreover, living standards may rise without energy consumption per capita necessarily rising also. Thus, the underlying philosophy to this entire section is misplaced. We should

A/CONF.151/PC/42/ADD.1
Page 15

instead concentrate on promoting environmentally sound energy production and consumption as a more direct means to improve the standard of life.

34. At the same time, some of the critical global and regional environmental problems stem from an overuse of energy. While there is no "energy shortage" as such, the overall price (environmental, extraction, political, etc.) we have to pay for additional energy supplies is increasing, and there are plenty of reasons why limiting consumption of energy resources will have beneficial impacts. Consequently, there is need for rationalizing and containing energy consumption at the global level.

U.S. Position:

Insofar as the economic costs of energy production increases, market prices will increase and induce reduce consumption without intervention. If there are still environmental or other reasons for using less energy which the market does not redress, then governments may need to act to correct those specific market failures. But limiting energy use or production is not an end in itself, and ignores the potential for increased overall environmentally sound energy production and consumption through improved technology. Imposing a cap arbitrarily will cause economic problems unnecessarily.

Objectives and Goals

35. Countries could develop indicators for Basic Energy Service Requirements, make them an integral part of conditions for sustainable livelihoods, and develop plans for everybody to have access to these.

36. Countries could develop indicators for [Maximum][Sufficient]Energy Service Requirements, and plans to not go beyond these requirements.

U.S. Position

Certainly, there is significant variation in energy use between nations and regions, but one cannot simply use per capita energy consumption as an indicator of whether "basic energy service needs" are being met. Energy use varies for a number of reasons, including differences in climate, topography, population density, land size, and structure of the economy. One country may, for instance, use more energy because it produces and exports goods with a higher energy content than another. Conversely, the country that imports and consumes that good may appear to be consuming less energy.

A/CONF.151/PC/42/ADD.1

Page 26

Also, how would one account for differences in resource endowments in an establishing acceptable levels of energy consumption?.

Activities

37. A number of actions will be required, both to increase access to energy services for some, and reduce overall consumption levels of others. Many of the actions outlined in the "Energy Efficiency" section would also be useful for consumption reduction strategies. In addition:

- a. Countries could immediately undertake end-use energy surveys, to establish indicators of Basic and [Maximum][Sufficient] Energy Service Requirements, and the number of people, households, industries, who are below and above. The information could be made widely available.
- b. Countries could develop and implement programmes, with assistance from the relevant UN bodies, regional organizations, donor agencies, and NGOs to ensure that in a given time-frame, everybody has access to the basic requirements.
- c. Countries could introduce incentives to reduce the number of people, households, industries who are above the [Maximum][Sufficient] Energy Service Requirements.
- d. Countries could support initiatives promoting clean technologies, waste minimization and recycling with a view to reducing energy consumption and greenhouse gas emissions.

Suggested Revisions:

- o Replace "... energy consumption and greenhouse gas emissions" in subparagraph d with "... pollution."

E. ADDRESSING THE UNCERTAINTIES: ATMOSPHERE

Basis for action

U.S. Position:

While the United States supports the concepts reflected in paragraphs 38-41, provisions related research and monitoring will be key components of the Framework Convention on Climate Change. As such elaboration of those provisions is best

A/CONF.151/PC/42/ADD.1

Page 17

conducted within the INC.

38. Substantial knowledge of the atmosphere has been gained through international co-operation and exchange of data and information to all nations. However, concern with climate change, air pollution, and ozone depletion has created new demands for scientific information. Better understanding of physical and chemical properties of the atmosphere is needed, through expanding and strengthening research programmes, developing comprehensive observing systems to monitor the atmosphere and the climate system as a whole, and to detect trends, variations and changes of the atmospheric behavior in a timely manner.

Suggested Revisions:

- o Change ".... scientific information...." in the second sentence to ".... scientific and economic information...."
- o Add to the end of the paragraph: "Better understanding of the economic, social and political implications of changes in the atmosphere and climate are also needed, and of possible response to those changes."

Objectives and goals

39. Countries could agree to promote cooperation in conducting research to improve the understanding of the physical, chemical, biological, economic and social processes that influence the Earth's climate system (e.g., oceans, land, atmosphere & biosphere) at global and regional scales.

Suggested Revisions:

- o change ".... that influence the.... " to ".... that influence and are influenced by the...."

40. Countries could agree to promote developing and maintaining systematic observations of the climate system, in particular through the Global Climate Observing System (GCOS).

41. Countries could agree to preserve, and collect data and information on the atmosphere and the climate system as a whole, and to exchange these data and information to the fullest extent possible.

Suggested Revisions:

- o change ".... collect data" to ".... collect physical, chemical, biological, economic and social data..."

Activities

A/CONF.151/PC/42/ADD.1
Page 18

- a. The relevant UN-bodies, in co-operation with governments, industry, research institutions, and NGOs could identify priority areas of scientific, technical, and socio-economic research and particularly the critical linkages to atmosphere and climate needed to support decision making, and ensure implementation.

Suggested Revisions:

- o Change "The relevant UN-bodies,.... " to "The Intergovernmental Panel on Climate Change" .
- b. Countries could promote process of free, unrestricted exchange of data and information related to the atmosphere and climate.

Suggested Revisions:

- o Change "..... process of free, unrestricted exchange of data" to ".... the full and open sharing of data...."
- c. The relevant UN bodies, in cooperation with countries and NGOs could promote co-operation in the development of early warning systems concerning changes in the climate system.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

bcc: Richard Porter

August 7, 1991

NOTE TO ROBERT B. ZOELLICK

From: Bob Grady 

RE: UNCED

Bob:

I will be taking some much needed vacation time on Friday and will thus not be able to make your meeting regarding UNCED.

I did, however, want to offer the following two points:

1.) I believe that UNCED can be turned into a positive and certainly manageable event for the USG if we can agree on clear policy guidance and provide it to those in the bureaucracy who are now preparing for the conference. Specifically, I believe there are six or seven objectives that we can agree on at the policy level (and that we can "live with" as a government) which, if clearly set out, can form the basis of the negotiating efforts of all those who attend prepcoms, write papers, etc. Indeed, I believe that those who are already focused on the conference, but who are worried that senior officials are not, would actually welcome the guidance.

My nominees for a handful of satisfactory objectives for the U.S. at UNCED would include the following:

- Agreement on process and institutional issues of the sort discussed in Elliot Richardson's paper (published by the World Resources Institute) which I believe he sent you. Richardson basically suggested the establishment of an ongoing international forum, (NOT A GOVERNANCE STRUCTURE!!) to discuss and make progress on issues such as forests, climate change, etc. He did propose that it be staffed with a small secretariat;
- Agreement on a global forest convention, or, at a minimum, a statement of principles leading to a convention;
- Agreement on a framework convention on climate change (comprehensive, and adaptable over time). A rather significant subsidiary question that will undoubtedly arise here is whether the U.S. will accept net greenhouse gas stabilization as the specific objective of the framework convention. My own prediction is that this is where the negotiations are inevitably headed and, while it is certainly too early to concede the point

now, this issue will have to be faced squarely by the time we get to Rio;

- Agreement to make progress on improving the science associated with the loss of biodiversity. Experts in this field (e.g., Tom Lovejoy at the Smithsonian) will tell you that our capacity to actually measure or monitor what is happening to species is primitive at best. While it will indeed be difficult to agree on a set of prescriptions with respect to the loss of biodiversity (especially given the track on which those negotiations had been headed), it might be relatively easier to achieve consensus on a monitoring/science/mapping effort aimed at the question of biodiversity;

- Agreement on aggressive efforts to protect the world's oceans, and especially its living marine resources. As discussed at London, we hold the high ground on this issue; and

- A program of research, data collection, mapping, and monitoring, so that the world will be working off of a common data base when considering the full range of environmental issues.

2.) I believe that U.S. businesses should actually be encouraged to participate as NGOs at Rio. The UNCED conference constitutes an excellent opportunity for them to highlight various forms of American technology which will be capable of helping to meet the growing world demand for environmental solutions. I believe that encouraging U.S. firms to look at UNCED as kind of an "environmental export promotion fair" will serve both U.S. commercial interests and U.S. policy interests.

I will be back in the office sometime late in the day on Wednesday, August 14th, if you would like to discuss this further.

DEPARTMENT OF STATE
USUNCED Coordination Center
722 Jackson Place, N.W.
Washington, D.C. 20503
395-3110/Fax 395-3744

August 30, 1991

MEMORANDUM

TO: Persons and Organizations on the USUNCED Mailing List
FROM: David H. Stebbing, USUNCED Coordination Center
SUBJECT: U.S. Statements at UNCED PrepCom 3, Geneva, Aug. 12 -
Sept. 4, 1991

To speed the process of getting materials to you, we are enclosing the statements and proposals submitted by the U.S. in the Working Group sessions held during the first two weeks of PrepCom 3. U.S. statements delivered in the latter half of the meeting will follow in a subsequent mailing. This package includes the following documents:

U.S. Delegation List
U.S. Approach to "Agenda 21"

Working Group I

Atmosphere
Integrated Land Resources and Sustainable Agriculture
Desertification
Forests
Principles for a Global Forest Convention/Agreement
Biological Diversity
Biotechnology

Working Group II

Oceans
Principles on the Use and Protection of the Marine Environment
Freshwater
Toxic Chemicals
Hazardous Waste
Solid Wastes

Working Group III

General Principles
Environmental Principles
Survey of Existing Agreements and Instruments
Dispute Resolution
Institutional Issues



United States Department of State

Washington, D.C. 20520

1992 UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT (UNCED)
THIRD PREPARATORY COMMITTEE MEETING
GENEVA, SWITZERLAND: AUGUST 12 - SEPTEMBER 4, 1991

U.S. DELEGATION

Head of Delegation

Curtis Bohlen Assistant Secretary of State, Oceans &
International Environmental and Scientific Affairs

Alternate Heads of Delegation

Robert Ryan Coordinator, U.S. UNCED Preparations

Morris Abram Ambassador, U.S. Mission, Geneva

Advisors

Jonathan Moore Ambassador to ECOSOC, USUN

Maureen Bannon Department of Defense/Office of the
Representative for Oceans Policy Affairs

Patricia Bliss-Guest Council on Environmental Quality/Associate
Director, International Law & Policy

Richard Bradley Office of the Secretary of Energy

Nancy Carter OES/Population Coordinator

Ed Cassidy Department of the Interior/Deputy Assistant
Secretary, Policy

David Cottingham National Oceanic and Atmospheric
Administration (NOAA)/Director, Ecology &
Conservation

Christine Dawson Office of the Secretary of State

Susan Drake Environmental Protection Agency/UN Programs

Paula Feeney U.S. Mission/Geneva

David Joslyn Agency for International Development Liaison
to USUN/FAO, Rome

Gerald Kamens Agency for International Development/UNCED

Jeff Kovar Legal Adviser/OES

Gary Larsen U.S. Forest Service (detail to OES)

Steven McGann USUN/ECOSOC/UNCED

John McGuinness International Organizations/Deputy Director,
Technical Organizations

Jeff Miotke	OES/Global Change
Robert Reinstein	OES/Deputy Assistant Secretary, Environment
Eleanor Savage	OES/Director, Ecology Health & Conservation
Tucker Scully	OES/Director, Oceans Affairs
Nance Styles	U.S. Mission, Geneva
Maureen Walker	OES/Oceans Affairs
Harlan Watson	Department of the Interior/Deputy Assistant Secretary, Water & Science
Ted Williams	Department of Energy/Environmental Affairs

CONGRESSIONAL ADVISORS TO THE U.S. DELEGATION

Congressman James Scheuer	Chair, Natural Resources, Agriculture Research and Environment, Committee on Science, Space & Technology
Congressman Gerry Sikorski	Committee on Energy and Commerce

OFFICIAL OBSERVERS TO THE U.S. DELEGATION

Congressional Staff

Susan Fletcher	Congressional Research Service
Nancy Carman	House Foreign Affairs Committee
Dave Finnegan	House Energy and Commerce Committee
Charles Ingebretson	House Energy and Commerce Committee
Steve Polanski	Senate Foreign Relations Committee
Carol Parker	Staff of Congressman Gerry Sikorski
Philip Schiliro	Staff of Congressman Henry Waxman

NGO Representatives

Scott Hajost	CAPE '92
Norene Kennedy	US Council on International Business
Gareth Porter	Environment and Energy Study Institute
Tom Spaulding	InterAction
Michelle Sullivan	US Council on International Business

THE U.S. APPROACH TO "AGENDA 21"

AT UNCED PREPCOM 3, GENEVA, AUGUST 12 - SEPTEMBER 4, 1991

UNCED offers an excellent opportunity to shape a new, practical and comprehensive approach to international environmental cooperation as we enter the 21st century. The principal U.S. goal for UNCED is to facilitate international cooperation in programs which build on the concept of sustainable development and that fully integrate environment and development strategies.

We clearly recognize that U.S. leadership will be an essential ingredient in the kind of UNCED results the world deserves and expects. Our strong record in managing our own environmental problems provides an excellent base for initiatives to promote sustainable development internationally. In the same way that constructive U.S. leadership gave impetus to the highly successful Montreal Protocol Process to combat ozone depletion, we seek to catalyze a dynamic approach to Agenda 21.

The first two Preparatory Committee meetings set out an agenda, resolved procedural points, and discussed the substance of most issues before UNCED. It is critical to the success of UNCED that PrepCom 3 negotiations begin, in the words of Chairman Tommy Koh, "to make action-oriented recommendations on all issues."

The U.S. is prepared to make such recommendations. We will table concrete proposals on a wide variety of issues and hope that other governments do the same. We are pleased to see that the UNCED Secretariat has produced or will produce 49 reports for consideration at PrepCom 3. By and large, these are thoughtful responses to the requests of PrepComs 1 and 2, produced under tight deadlines. We appreciate that.

Maurice Strong, Secretary-General of UNCED, proposes that a major outcome of the Conference should be an action program entitled "Agenda 21." This framework for the full range of UNCED decisions stresses the integrated relationships of environment and development issues. The starting point for Agenda 21 is the broad UNCED mandate set out in UN General Assembly Resolution 44/228 and subsequent decisions of the Preparatory Committee. The UNCED Secretariat has circulated an analysis of each issue as the basis for the action proposals presented as "Options for Agenda 21."

The U.S. supports the concept of an Agenda 21; we believe that further work will be required regarding form and substance. The following sections address the "program areas" listed by the Secretariat, which are the building blocks of Agenda 21, and briefly describe the U.S. approach to Agenda 21 for the ten environmental issues to be addressed by Working Groups 1 and 2, and the four cross-sectoral issues to be addressed by the Plenary. (In a number of areas, for example financial resources, Agenda 21 proposals will

not be considered until the fourth PrepCom next year.) The overall U.S. approach to all Agenda 21 program areas must be seen, of course, in relation to our positions on financial and other cross-cutting issues.

LAND RESOURCES

Proposed Program Areas: (A) protection and management of fragile ecosystems; (B) an integrated approach to land resource planning and management; and (C) sustainable agriculture and rural development; the latter includes: sector policy review, planning and programming; grassroots participation and development of human resources; integrated production system management; diversification of rural incomes; land resources conservation and management; water resources for agriculture; conservation and utilization of genetic resources; integrated pest management; sustainable plant nutrition; rural energy.

U.S. Approach

In the U.S. view, the proposed options represent a comprehensive program leading toward sustainable agriculture and improved land resource management. We would particularly emphasize: (A) human resource development, (B) pilot projects to test prescriptions, (C) multiple use as the key to successful land management, (D) the combination of research and best known management practices, (E) significant participation in the land resource management process by affected citizens, and (F) decentralized decision-making. We particularly emphasize that approaches to these concerns must be consistent with GATT principles and efforts to reform agricultural trade arrangements. The program outlined is ambitious and costly. Achieving it by the year 2000 as targeted is clearly unrealistic. Given the importance of the subject to poor countries, particularly in Africa, we look forward to seeing the Agenda 21 options for desertification, which the UNCED Secretariat has not yet presented.

FORESTS

Proposed Program Areas: (A) forest inventories and land availability assessment for afforestation; (B) mechanisms for global/regional/national afforestation and reforestation; (C) assessment of potential forest impacts on climate change; (D) protection of selected forest ecosystems; (E) large scale planting programs; (F) regional/national rehabilitation of degraded lands; (G) expansion of community and social forestry in developing countries; (H) industry and trade in forest products; (I) training, research and research dissemination; and (J) forest accounting and mechanisms for assessing the economic value of forests.

U.S. Approach

UNCED PrepCom 3 will consider "Guiding Principles for a Consensus on Forests." At the London Economic Summit, the G-7 countries undertook to achieve, by the time of UNCED, "agreement on principles

for the management, conservation and sustainable development of all types of forest, leading to a framework convention. This should be in a form both acceptable to the developing countries where tropical forests grow and consistent with the objective of a global forest convention or agreement" set at the Houston Economic Summit. The U.S. has distributed a proposal for forest principles. The U.S. will seek an approach to Agenda 21 that is not inconsistent with the U.S. proposal.

BIODIVERSITY

Proposed Program Areas: (A) information on biodiversity; (B) maximization and spread of the benefits of biodiversity; (C) improved conservation of biological resources; and (D) enhanced capacity to manage biodiversity.

U.S. Approach

The U.S. is participating in the negotiations for a global framework biological diversity convention being conducted under the auspices of UNEP. U.S. objectives for this convention include the furtherance of the conservation of biological diversity -- primarily in situ, but also ex situ -- within and beyond national jurisdiction; to expand cooperation in acquiring base-line data, monitoring, and other research on species and habitat; and to ensure access to biological resources on a non-discriminatory basis. Options selected for Agenda 21 should be those which support these objectives. However, care must be taken that Agenda 21 not attempt to duplicate or anticipate the convention, which the U.S. and most other member states of UNEP look upon as the primary vehicle for global cooperation. It would be useful for PrepCom 3 to begin to prioritize the most urgent tasks listed in the ambitious options paper which do not come under the immediate purview of the convention.

BIOTECHNOLOGY

Proposed Program Areas: (A) advanced biotechnology applications in sustainable agriculture; (B) improved human health through biotechnology; (C) prevention of environmental degradation through the judicious application of biotechnology; and (D) effective safety procedures.

U.S. Approach

The United States, fully recognizing the potential benefits and risks of biotechnologies, supports the stated UNCED objective of facilitating the sound development and application of biotechnology. The United States also maintains that the regulation of industry and its products should be dealt with on the national level by individual countries and their governments. Such regulation typically has been based upon risk assessment as defined for particular environment and cultures. Therefore, the United

States believes that it is desirable for the nations of the world to harmonize sound scientific practices and economic principles in developing and commercializing products of biotechnology. Efforts to this end currently are underway within a variety of international organizations participated in, and supported by, the U.S. However, the U.S. opposes onerous and inflexible international regulations and guidelines on research and development. Further, we would not want to create unrealistic expectations as to the potential of the newer biotechnologies for vastly improving living conditions, especially in the near term. We therefore plan to take exception to certain themes in the UNCED Secretariat background paper and, in parallel, to propose modifications to a number of the options for Agenda 21.

ATMOSPHERE

Proposed Program Areas: (A) the energy transition; (B) energy efficiency; (C) environmentally sound energy systems; (D) sustainable energy consumption patterns and life styles; and (E) research on the atmosphere.

U.S. Approach

The U.S. strongly supports: (A) the integrity of the independent negotiating process on climate change under the International Negotiating Committee (INC), (B) effective implementation of the Montreal Protocol regime to combat ozone depletion and (C) international cooperation to improve ambient air quality and address problems of transboundary air pollution. We believe Agenda 21 options on the atmosphere should concentrate on interconnections between climate change and other sustainable development issues and on efforts to help developing countries deal with increasingly serious air pollution problems. Instead, the options presented focus exclusively on recommendations to address one environmental issue, climate change, through one sector, energy. Irrespective of any potential merit in the options outlined, these options not only unnecessarily interfere with the work of the INC but fail to consider all sources and sinks of greenhouse gases. The U.S. will argue for a complete restructuring of this section of Agenda 21.

OCEANS

Proposed Program Areas: (A) integrated management of coastal areas and exclusive economic ones; (B) management of living marine resources on the high seas; (C) sustainable use of living marine resources under national jurisdiction; (D) maintenance of ecosystems and biodiversity; (E) prevention and control of land based marine pollution; (F) prevention and control of sea-based marine pollution; (G) international and regional cooperation; (H) capacity building; and (I) addressing critical uncertainties for ocean management and climate change.

U.S. Approach

The U.S. sees a need to restructure the proposed Agenda 21 oceans options in order to establish a clear set of objectives and to reflect more adequately the work contained in the Secretariat background paper. At present, they are internally inconsistent, over-sectoralized and confusing. Moreover, they intermingle ecological concepts with juridical concepts involving settled areas of customary international law as reflected in the 1982 UN Law of the Sea Convention. As indicated in our detailed submission to PrepCom 2 (A/Conf. 151/PC/WG.II/CRP.7), the U.S. looks to UNCED for substantive progress in promoting: (A) the elaboration of principles on land-based sources of marine pollution emphasizing pollution prevention, the application of economically efficient clean technologies and the use of appropriate economic incentives, (B) cooperation in coastal zone management techniques, including through international organizations, with emphasis on capacity building and regional interaction, (C) conservation of marine living resources through the application of ecosystem, multi-species management, (D) cooperation through relevant international organizations in integrated monitoring of the marine environment and (E) improved coordination of regional and international coastal and marine programs.

FRESHWATER

Proposed Program Areas: (A) water resource assessment; (B) protection of water quality; (C) drinking water supply and sanitation; (D) water and sustainable urban development; and (E) water for sustainable agricultural development.

U.S. Approach

The U.S. is committed to the establishment of a pollution prevention principle for water quality, including the application of recycling and other low pollution production technologies. We will also stress the need for all countries to work together toward a pollution prevention system which steers away from traditional end-of-the-pipe treatment that fails to minimize or limit the source of contaminants. We look forward to participating in the Dublin Conference in January 1992, which will formulate precise options for the fresh water section of Agenda 21.

TOXIC CHEMICALS

Proposed Program Areas: (A) an expanded and accelerated international assessment of chemical risks; (B) harmonized classification and labeling of chemicals; (C) information exchange on toxic chemicals; (D) establishment of risk reduction programs; and (E) a strengthening of national capabilities and capacities for management of chemicals.

U.S. Approach

The United States made comprehensive proposals in this area at PrepCom 2. The U.S. supports increased international cooperation to enable countries to implement economically efficient programs for managing and reducing risks associated with the manufacture, trade, use and disposal of toxic substances. Regarding trade, the U.S. favors full implementation of the Prior Informed Consent (PIC) Procedure, but not a legally binding instrument or general provisions that would restrict trade in domestically prohibited products. The harmonization of classification and labeling standards involves a number of entities, which should not be duplicating effort; important work is being done, in particular, in the OECD Chemicals Program and, within the U.N. system, the International Program on Chemical Safety (IPCS). The U.S. strongly favors a broad-based approach for reducing chemicals risk which could involve both regulatory and non-regulatory measures. These should include a code of conduct on industrial chemicals paralleling the FAO Pesticides Code; national toxic release inventories; adoption by UNCED of guiding principles for accurately communicating risk to the public; and establishment of national risk communication programs by member states. Industry initiatives can serve as an important complement to government regulatory programs.

WASTES

Proposed Program Areas: (A) promotion of waste prevention and minimization through "cleaner production" methods, resource recovery, recycling, reclamation, direct re-use or alternative uses of wastes; (B) enhancement of knowledge and information on economics of hazardous waste management; (C) increased knowledge about environmental and health impacts of hazardous wastes; (D) promotion of institutional capacities in hazardous waste management; and (E) strengthened international co-operation in monitoring transboundary movements of hazardous waste, in particular the prevention of illegal traffic, and assessing environmental and health impacts of those movements.

U.S. Approach

The U.S. places great importance on sound waste management practices and policies and supports international cooperation on waste management issues to promote this end. The U.S. would particularly emphasize: (A) full implementation of the Basel Convention; (B) harmonization of policies, strategies and measures for reducing risks to human health and the environment from hazardous and other wastes in an economically efficient manner; (C) information exchange on clean technologies to reduce waste generation; (D) information exchange to promote use of new methods for resource recovery.

POVERTY

Proposed Program Areas: (A) promotion of sustainable livelihoods; (B) reduction of demographic pressures; (C) human development; and (D) the living conditions of the poor.

U.S. Approach

The U.S. recognizes that environmental degradation and poverty are interlinked and often result from similar causes; thus, that policies should be integrated for improving living standards for the poor and for protecting the environment. Neither problem can be addressed effectively through large unspecified resource transfers. The bulk of U.S. efforts to help end poverty aim at eventual self-reliance. To achieve environmental goals, assistance should take the form of specific programs for action in land, freshwater, forests, and oceans. The U.S. will oppose specific and unrealistic deadlines for the elimination of poverty. The U.S. endorses the objective of expanded population programs and will suggest additional measures.

ENVIRONMENTAL HEALTH

Proposed Program Areas: (A) basic health needs related to the environment; (B) control of communicable diseases; (C) meeting the urban health challenge; and (D) reduction of health risks from environmental pollution and hazards.

U.S. Approach

The U.S. emphasizes that human health concerns are highly relevant to this conference on environment and development and that the sectoral interests of health, environment and development must be considered in each case. Basic human needs for clean air, pure water, safe food, and sanitation should be met by measures to prevent problems rather than relying on the more difficult remediation procedures. Communicable diseases should be prevented wherever possible through sound principles of hygiene and vaccination. Particular emphasis should be directed towards diseases with major environmental interfaces such as malaria, cholera, tuberculosis and polio. Measures to reduce environmental toxic compounds and injuries in the work place should be strongly supported. Particular emphasis should be directed towards the reduction of heavy metals such as lead and mercury, as they rank as being the most significant world-wide preventive measures.

ENVIRONMENTAL EDUCATION

Proposed Program Areas: (A) a strengthened role of education in society in its widest sense for achieving sustainable development; (B) reorientation of formal education towards environment and development; (C) improved education and training within development programs; (D) facilitation of access to information and improved

communication; (E) strengthened community participation and partnership; and (F) improvement in the supportive role of the international system.

U.S. Approach

The U.S. generally supports the objectives of the new initiatives outlined in the Secretariat paper on environmental and developmental education. In our view, more attention needs to be given to including both environmental and developmental aspects. We particularly support the need for more cooperation using existing international mechanisms to enhance the wide availability of information relevant to environmental and developmental education. As the document states, "environmental education needs to be recognized by all as an essential part of basic learning." Many of the initiatives called for in the document have already begun in the U.S. or are being developed in response to the requirements of the National Environmental Education Act of 1990.

HUMAN SETTLEMENTS

Proposed Program Areas: (A) adequate shelter for all; (B) human settlements management; (C) land resource management; (D) environmental infrastructure: water, sanitation, drainage, and solid waste management; (E) energy and transport; (F) construction; and (G) human resource development and capacity building for human settlement development.

U.S. Approach

The UNCED Secretariat draft Agenda 21 basically views cities and rural settlements as providing an opportunity for more efficient use of resources, simultaneously promoting development and reducing stress on the environment. The U.S. supports and will seek to emphasize measures that serve to improve public and private sector management capabilities and collaboration and to promote better resource use, services, and waste disposal.

OPTIONS FOR AGENDA 21 RELATED TO ATMOSPHERE
Statement by the U.S. Delegation
Preparatory Committee for the
UN Conference on Environment and Development
August 13, 1991

Mr. Chairman, the United States once again expresses its respect and appreciation for the considerable effort that went into producing documents A/CONF.151/PC/60 on "Sectoral Issues" and A/CONF.151/PC/42/ADD.1 on "Options for Agenda 21" related to the atmosphere. Both documents reveal a commendable desire by the Secretariat to help this Preparatory Committee set the stage for a successful and productive Conference.

Mr. Chairman, I realize that you requested specific comments on the five programmatic areas identified in paragraph 13 of the Agenda 21 options paper. However, the United States would like to make a number of more fundamental points about these two papers.

In this regard, it is worth noting again the statements made earlier by you, Mr. Chairman, and Secretary General Strong stressing the limited time available to this Committee and the enormous scope of work before us. With so much work facing us and so little time, the fruits for Rio must be cultivated and harvested in the most efficient and effective manner possible. We should look to other organizations and fora within and without the UN system for pertinent material, which we can then integrate and harmonize. For example, the work of the Intergovernmental Panel on Climate Change (IPCC) referred to yesterday might be incorporated for consideration. This Preparatory Committee need not till all the soil, plant all the seeds and reap all the harvests for UNCED.

With regard to specifics, the Sectoral Issues and Agenda 21 papers raise a number of points which the United States could support. For instance, the Sectoral paper discusses in several paragraphs, such as 31, 41 and 43, actions which have a number of environmental and economic benefits. In keeping with the First Assessment Report of the IPCC, the United States agrees that options which provide multiple benefits deserve much further consideration. We also agree with the point in paragraphs 38 and 48 that taking advantage of such options is one way in which both industrialized and developing countries might participate in the global response to climate change. We also find intriguing the possibility, suggested in paragraph 49 and elsewhere, that the technology may exist to allow developing countries to "leapfrog" to a more environmentally benign development path. Consistent with section E of the

8/13/91

Agenda 21 paper, the United States is engaged with its Western Hemisphere neighbors in promoting research to reduce uncertainties through common and coordinated efforts on climate research.

However, the United States is deeply concerned about many aspects of both documents. Most importantly, UN General Assembly Resolution 45/212 established "a single intergovernmental negotiating process.... for the preparation of an effective framework convention on climate change." Consistent with 45/212, this Preparatory Committee adopted decision 2/8 to "avoid duplicating or pre-empting the work of" the INC, IPCC and the biodiversity negotiating forum.

Any discussion of policy recommendations, if focussed on climate change, necessarily duplicates and potentially pre-empts the work of the INC. Being produced as the result of a decision specifically on climate change, these two documents unfortunately do duplicate and pre-empt the work of the INC. Paragraph 3 of the Sectoral Issues paper is particularly troubling in this respect; it suggests that UNCED is responsible for developing climate change response strategies with input from the INC and other fora. This is not what the General Assembly intended, which was that the INC develop the international response with input from other fora.

Decision 2/8 of this Committee requested the Secretary General to "investigate further the interconnections between the issue of climate and environmental and developmental issues at national, regional and global levels, covering agriculture, biodiversity, energy, forestry, industry, oceans, transport and cross-sectoral issues, and to report to the Preparatory Committee at its third session, in order to enable it to consider at that session the preparation of related proposals for discussion..." Thus, we had expected these documents to help us consider proposals related to these linkages between various environmental and developmental issues and among various sectors. This is a critical role for UNCED to play: to bring together the separate analyses ongoing in different fora and to integrate environmental and developmental needs.

We note that the introduction to the Sectoral Issues paper states that other sectors are dealt with in other papers prepared for this session. But we believe that the decision taken at our last session contemplated such an analysis in a single document to enable us to consider the linkages among sectors and specific areas of concern. Unfortunately, however, the Sectoral Issues and Agenda 21 papers both focus almost exclusively on making specific policy recommendations to address one environmental issue - climate change - through one sector - energy. Neither document sheds much light on other

linkages. Nor do the separate documents on Forestry, Oceans, Agriculture, Biodiversity, etc, help in this regard. At most, these other documents mention climate change as a potential threat in these sectors, some allude in very general terms to the development implications of potential impacts, and almost none explore the other linkages, such as the development implications of various response strategies. How then are we to develop proposals that adequately address these linkages?

Ideally, the background document on Sectoral Issues would have provided information and analysis of the linkages and the Agenda 21 options would have been based on that information and analysis. But because the Sectoral Issues paper concentrates instead on making broad generalizations and policy recommendations primarily in one sector and does not elucidate the cross-issue or cross-sectoral questions, we do not have before us the analysis or information supporting these options for Agenda 21.

This lack of integration defeats the purpose of examining the linkages: we need to understand clearly how these various issues affect each other. How do actions in one sector affect other sectors? What, if any, role can nuclear power play in helping to address the environmental problems that result from the energy sector? What inherent economic or physical limitations are there on the use of solar energy or biomass fuels? How might biodiversity be affected by different forestry practices and policies? Where do environmental and development goals seem to coincide and where do they seem to conflict? How can policies be designed to pursue both goals? How do we promote a full partnership of equals between the North and the South? How does economic growth in one part of the world affect the rest of the world?

This lack of consideration of the linkages between sectors and issues also results in marked differences in the approaches advocated in the different papers on the various sectors. For instance, in the discussion of climate change in the background document on forests, A/CONF.151/PC/64, paragraph 172 states that the use of forests as sinks might be expanded "where it is ecologically viable, socially acceptable, and economically feasible in the broadest sense." These are useful criteria that should be applied in considering responses to a variety of environmental issues, including climate change. Yet nowhere in the Agenda 21 options paper on atmosphere do we find any acknowledgement that other environmental, social, political, or economic factors should be considered in choosing response strategies. Similarly, document A/CONF.151/PC/50 on the "Utilization of Economic Instruments" summarizes some possible applications of market mechanisms to environmental issues. But these concepts are not reflected in either of the papers on

atmospheric issues. Instead, these two papers before us advocate extensive and potentially expensive regulation and centralization of decision making.

In any case, any discussion of response options for addressing climate change must be comprehensive, including the sources and sinks of all greenhouse gases. Even if it were our role in the Preparatory Committee, this failure to be comprehensive makes this paper of limited value in suggesting appropriate responses to climate change. The essential need to take a comprehensive approach to climate change was reflected in the First Assessment Report of the IPCC, the Ministerial Declaration of the Second World Climate Conference, and the carefully crafted terms of reference for the two INC Working Groups. Both the Agenda 21 and the Sectoral Issues papers, on the other hand, adopt a narrow approach that runs the risk of being unnecessarily costly and environmentally counter-productive. The ongoing work of the IPCC also looks across all greenhouse gases and sectors to identify possible options, taking into account economic feasibility, development concerns, other environmental effects and cross-sectoral linkages. We recommend that this Committee review the work of the IPCC and consider its relevance to UNCED's broad environment and development mandate.

Regarding the five specific programmatic areas suggested in the Agenda 21 paper, the United States agrees that these areas are clearly relevant and important to a variety of environmental issues. However, the approach taken is inappropriate in our view. First, it is too interventionist, leading in the direction of command and control measures that possibly infringe on national sovereignty. Second, in taking this rather inflexible approach, it is likely to be less efficient and effective. Third, and most important, it infringes on the INC as the single negotiating forum for climate, contrary to decision 2/8 and General Assembly Resolution 45/212.

The United States has a number of specific comments on individual paragraphs. However, it would be duplicative and inappropriate to develop Agenda 21 items based on these papers. It is our strong inclination to defer development of Agenda 21 options on the atmosphere to the next session of the Preparatory Committee. By then, we will hopefully have the benefit of further elucidation of the important linkages among environmental and development issues, as well as a better sense of the results of the INC negotiations. We must wait to see what the INC will produce and not interfere in the single negotiating process established by the General Assembly.

We are interested to hear the views of other delegations.

PREPARATORY COMMITTEE FOR THE 1992
UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

FIRST STATEMENT BY THE U.S. DELEGATION ON INTEGRATED LAND RESOURCES

Geneva, August 16, 1991 (a.m.)

Mr. Chairman, to deal objectively with the crisis of global land degradation, we must first be able to clearly identify the actual pressures which drive current practices. To this end, we view the Secretariat reports on Protection and Management of Land Resources as, on the whole, both insightful and comprehensive. Their definition of land and its uses emphasizes the holistic and integrated nature likely solutions.

The Secretariat documentation before us on parts A and B of Agenda 21 appropriately seeks an integrated approach to the closely interlinked causes of land deterioration. I shall focus my remarks this morning on the options for an integrated approach to planning and management of land resources, and return later with our views on sustainable agriculture and rural development. PC/63's list of guiding principles for protection and management of land resources is very useful and should be made widely available for land use planners. The problem, as suggested in the paper, is to, first, select appropriate actions, and, then, to accurately assess progress toward achieving these principles.

Today, within each of our countries, a variety of institutions, ministries, and departments have responsibilities regarding the various factors contributing to land degradation. As accurately recognized in the Secretariat Report, it would be exceedingly difficult and unproductive to create a new global body to attempt to integrate all land management topics. Rather, we should focus on better coordination of existing bureaucracies and institutions.

The discussion of the integrative framework illustrates something of the dilemma faced when we move from general principles to action. Most coordinated actions in land use are directed by governments. Thus, units of action are most often political agencies. On the public lands of the Western United States, for instance, the Bureau of Land Management has developed interdisciplinary land use plans for multiple, or "sustainable" development, with legal involvement of local governments and strong public participation. This agency is negotiating a protocol to pilot test this process in a developing country.

As suggested in PC 63 and Agenda 21 options, integration is the key to successful land resources. Almost none of these resources serve a unique function nor exist independently of their surroundings. Sustainability has become one of the watchwords in the United States' own national efforts as well as in our financial cooperation with other countries. It is important, first, to understand fully the problems we face. Then, we must bring to bear the best known management practices we can find to turn the results of our research into the effective and decisive actions needed to preserve and regenerate our precious land resources.

PC/61 and the proposed Agenda 21 Options for Parts A and B contain a thoughtful discussion of data requirements, planning tools of various sorts, and the development of the skilled people needed to carry out the multiple tasks outlined. But there is no assessment of the cost of creating and maintaining such services. Before final recommendations are made on these items, costs should be estimated and realistic implementation schedules developed.

Finally, Mr. Chairman, we see Secretariat paper 42/addendum 2 as a superior review of the problems besetting our fragile environment. The list of tasks ahead is quite complete. Two elements are especially important -- the development of human resources and the recommendations for pilot projects to test our prescriptions before adopting universal programs.

Regarding the first element, human resources development and capacity building are indeed very important to the accomplishment of our objectives. The U.S. acknowledges that a massive effort, as suggested in the proposed Agenda 21 option for this subject, would indeed be required to achieve all of the proposed planning and management objectives quickly. We suggest, however, that we are talking about a needed series of very complex changes in social and economic patterns of life, and that we would do better to focus at least our relatively short-term efforts on a more limited target which is capable of achievement within the human and financial resources likely to be available to us.

PREPARATORY COMMITTEE FOR THE 1992
UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

SECOND STATEMENT BY U.S. DELEGATION ON INTEGRATED LAND RESOURCES

Geneva, August 16, 1991 (p.m.)

Mr. Chairman, Secretariat Report 61 on Sustainable Agriculture correctly focuses on the April FAO/Netherlands Conference on Agriculture and the Environment. That meeting's outcome was the Den Bosch Declaration, which called for fundamental changes in the way we look at sustainable agriculture and rural development, first of which is the need for broad participation in the political process of defining and developing integrated farm management systems.

Such popular participation, employing market processes, and adjusting for conflicts of interest among concerned individuals, groups, and nations, is, in our view, essential to the ultimate goal of protecting land resources. We will be interested in seeing how the consensus of that very useful Conference and the Den Bosch Declaration are incorporated both into Agenda 21 options and into FAO's programs, and what specific actions, both conceptually and administratively, FAO will take to achieve more integration in its program.

Turning to the proposed Agenda 21 options on sustainable agriculture and rural development, I would like first to address briefly what we see as some important omissions.

First, as several, but not many, delegations have earlier noted, the suggested options say little about the key role in integrated land resource management of women, of indigenous people and other local rural populations, and of farmers in general. I realize that inserting in our UNCED documents mere words about the importance of these groups is not nearly enough. And the insertion of such verbiage does not, per se, do much to solve the problem. But at least verbal recognition of the importance of these real actors in changing the land is a useful first step in a necessary consciousness raising -- which will hopefully be succeeded by specific actions designed to insure a voice to people who are often unheard in the corridors of power, where decisions are made on appropriate land use management.

Second, a few other omissions. We believe there should be some mention in Agenda 21 of the impact of land-based contaminants on marine pollution, a vital subject covered at some length in this Working Group's discussions on ocean protection. We would also like to see even greater focus in the Options on alternative cultivation systems, using traditional farming methods, as well as more experimentation with lower inputs of agricultural chemicals

as a means to conserve the land resource base and to reduce toxics in the soil. Over recent decades, both developed and developing countries understandably made substantial use of such chemicals, as fertilizers, as herbicides, and as pesticides. It's time now, we believe, to do some serious rethinking on the subject, to see what we all have learned from our experience, and, particularly, in the case of pesticides and herbicides, to urgently look into alternative non-chemical techniques -- not, by any means, as an exclusive way of dealing with the real problems at hand, but rather, in a genuine and non-finger pointing effort, to come to an effective balance between our needs for food and our needs for stemming or hopefully reversing the degradation of our precious land resources.

We will submit to the Secretariat Monday, for consideration during this Prepcom by the delegations assembled here, some specific wording changes. Let me now, however, highlight just a few of the more important ones.

We think that, where intensification of farming systems is not possible, specific mention should be made of "non-farm activities, such as light manufacturing, farm commodity processing, agribusiness, recreation and tourism.

Second, we have some difficulty with certain of the proposed actions on plant and animal genetic resources, which seem to anticipate and, in some cases, preempt the proposed Biological Diversity Convention. A number of those suggested actions should, in our view, be limited or at least deferred until the Convention negotiations have progressed to a more definitive stage,

Lastly, regarding the objective of having functioning land-use systems in place by the year 2000, that goal is unquestionably correct as a long-term objective, but even the highly industrialized countries are unlikely to achieve full local action in eight years. While specific land resource allocation and management targets may be useful for mobilizing public attention and support, it is crucial that they be realistic in terms of: (a) the great difficulties in changing often long-standing economic and social policies and customs which play a great role in land-use decisions; (b) the possible internal and external resources likely to be available to assist in this effort; and (c) the likely unfortunate and counterproductive consequences of establishing and publicizing specific goals which prove to be very unrealistic. For these reasons, we would oppose setting any specific target of this nature -- which would, in our view lack credibility and raise questions as to UNCED's serious intent.

In closing, I would not want the above remarks to be seen as an overall unhappiness with the comprehensive options list presented by the Secretariat on part C. To the contrary, where we have not commented, we are indeed mostly quite pleased by the thrust of the options, and commend the drafters both for their breadth and for their dreams.

Overall, Mr. Chairman, the Agenda 21 goals for land resources depict, indeed, a very ambitious program. We think that attempting to reach these goals by the year 2000 is not realistic. This is particularly the case if there is to be significant participation in the land resources planning process by those citizens most affected by the results of such planning. The U.S. stands ready to assist in developing country efforts to broaden democratic processes -- and if I can come back, full cycle, to where I began these remarks, we believe that only through such fuller popular participation can we effectively address the problems which today stand in the way of better management of the world's land resources.

PREPARATORY COMMITTEE FOR THE 1992
UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT
THIRD SESSION

STATEMENT BY THE U.S. DELEGATION ON DESERTIFICATION

Geneva, August 22, 1991

Mr. Chairman, we commend the candid and comprehensive analyses of the causes and consequences of desertification contained in PC/62. We agree that desertification is a most intractable and often irreversible process. Caused largely by humans, desertification is closely related in its origins to the problems of land degradation and deforestation discussed here last week.

In fact, we think these problems are so closely linked that it may not be practical over the long term to deal with desertification as an isolated phenomenon. The term itself has always been a clumsy one and might better, in our view, now be replaced with the general concept of "land degradation" or "degradation of the natural resource base."

This is particularly relevant given the recent information reported from remote sensing specialists that the Sahara has stopped its expansion and is now retreating -- in this case, due to climate variation. Technicians in this field of expertise and many of the delegates here know that the term "desertification" is meant to include land degradation in many arid or semi-arid regions of the world, and not simply that lying in the path of a clearly defined "desert." But we believe use of that term will continue to create confusion in the minds of those very people at the grass roots level who are being asked to cope with the problem.

We agree with the candid summary, contained in the Secretariat report, of the major shortcomings of the Plan of Action to Combat Desertification, or the PACD. We also concur with the comment in PC/62 that, despite the efforts to carry out that plan, desertification remains unabated, and that, indeed, more land is now desertified than was the case in 1967 when the PACD was adopted.

Further, we do not believe that DESCON, the Desertification Control Consultative Group has been able to make a significant contribution to anti-desertification efforts. Given the failure of efforts in this sector to date (as outlined in the UN Report on last December's Seventh Regular Session of DESCON, Rome), the key to achieving success in this area seems to be integration of anti-desertification efforts into national

development programs or national environmental action plans. This will require that such efforts be viewed within the context of land degradation, land use, and overall national development efforts.

In many instances, governments will have to face squarely the need for improvements in their national economic and land management policies. We concur, accordingly, in the call of UNSO (the UN Sudano-Sahelian Office) for more governmental emphasis on economic and other incentives, consciousness raising, education, alternative or supplementary production systems, and agricultural intensification. And, as mentioned in the Secretariat report, there is a need for greater community participation in country plans to combat desertification.

We believe that, in many of the affected countries, organizations already exist to channel concessionary resource flows, particularly through the multilateral development banks and donor organizations. As we said in PrepCom 2, the United States welcomes, and supports financially, the efforts of the various UN agencies in combatting this form of land degradation, and particularly want to commend the good work in the Sahel of UNSO, and we encourage UNEP's continued cooperation with these efforts. The United States also contributes substantially, through its bilateral economic assistance programs, to a variety of national and regional anti-desertification efforts, particularly in Africa.

In some cases, affected countries -- 22 in Africa to date -- are developing National Environmental Action Plans with the help of the World Bank. In these cases the multilateral development banks can be of great help in coordinating a national effort, and will go a long way in focussing the limited resources available to help resolve problems in this sector.

Lastly, we would like to point out that, just as is the case in deforestation, possible solutions lie not only in improved schemes of integrated land management, but also in the efforts of developing countries, assisted by donor countries, to deal with poverty, unplanned urban development, and pressures to farm marginal lands to feed their burgeoning populations.

In summary, the U.S. Government believes that UNEP should continue to assume the lead in creating the long-term perspective essential to the resolution of desertification problems. We believe UNEP should acquire the staff necessary to aid the affected countries in developing national action plans to combat desertification, and that these plans be integrated into national development plans. We welcome the

promised UNEP composite report on desertification. But we wonder if there is any way to speed up its final approval so that UNCED participants can avail themselves of its findings prior to next spring's session of the UNEP Governing Council and subsequent transmission to the United Nations General Assembly.

If that cannot be done on a more timely basis, possibly the Secretariat could flesh out the rather generally worded programmatic framework for Agenda 21, using the report of UNSO and the annexes contained in PC/62. Many of the eventual specific actions in Agenda 21 will most likely be related to those needed for overall land resource management, such as more integrated land-use planning and serious efforts to secure a greater popular participation by indigenous people and other farmers. Despite the similarity of likely solutions, however, desertification is an important enough problem to devote special attention to the special land problems of arid and semi-arid areas of many developing countries.

Mr. Chairman, desertification is often a result of the tensions that often seem to exist between the needs for development and the need to protect our environment. The challenge posed to UNCED by this problem -- as by so many others we face here and in Rio -- is how to develop a workable plan for sustainable development that goes beyond words and allows us to manage the world's lands for the long-term benefit of both development and the environment.

US OPENING REMARKS

Topic: Conservation and Development of Forests

Preparatory Committee for the United Nations
Conference on Environment and Development
Third Session

Geneva, August 14, 1991

Mr. Chairman:

My government has studied with great interest and in considerable depth the Secretariat documentation on forests prepared for this session of the PrepCom. Let me say at the outset that the United States remains firmly committed to the negotiation of a free-standing global framework convention on forests. We believe such a convention -- on all forests: tropical, temperate and boreal -- is urgently needed. Our preference would be to have it concluded in time for UNCED, but we recognize that others face various constraints in this regard and do not necessarily share our views as to timing. Last month in London, we joined others of the Group of Seven in reiterating the commitment to a convention. As stated in the London Summit Declaration: "We aim to achieve ...by the time of UNCED:....agreement on principles for the management, conservation and sustainable development of all types of forest, leading to a framework convention." We believe that this set of principles must be in a form that is acceptable to developing countries with tropical forests.

We recognize UNCED as the appropriate forum for discussion of principles for a global forest consensus, as was agreed at the last Preparatory Committee meeting. Our discussions at that time showed there is considerable commonality in the views expressed by many countries regarding the scope of a global consensus on forests and the topics to be addressed in moving toward agreement on forest principles. On this basis, the U.S. has developed a proposal, which we have asked the Secretariat to distribute as an informal document in English, and which will be available as Conference Document A/CONF.151/PC/WGI/L.20. This document represents our current thinking on those principles. We are aware that other countries and non-governmental organizations have developed proposals as well, and several have shared them with us. They further demonstrate that there are many areas of like thinking which can be the basis of reaching agreement on principles in time for UNCED.

UNCED Secretariat document A/CONF.151/PC/65, "Guiding Principles for Consensus on Forests," offers many opportunities to make progress on a consensus text. While we recognize that much work remains to be done, we would support the document's use as a starting point. We will make further suggestions based on the principles paper referred to above.

Document A/CONF.151/PC/42/Add.3, "Options for Agenda 21," contains many excellent program elements. We would like to see it take a more balanced, holistic approach. At present, the agenda is overly focused on climate change and afforestation issues. We will be seeking certain modifications and additions to place increased emphasis on the multiple aspects and benefits of forests, particularly as related to productivity, sustainable management, development, international trade, biological diversity and ecological stability. We will also be calling for greater attention to monitoring, inventory and research, education and training, technical cooperation, and the use of market mechanisms to achieve multiple benefits. The latter should include research on the economic valuation of natural resources and ecosystems services. Air pollution should also be addressed, as well as rehabilitation and recovery of degraded forest land.

Finally, Mr. Chairman, to return to our opening theme, agreement on a well-balanced set of guiding principles within this forum will permit rapid progress toward a framework convention, to be concluded as soon as possible. My delegation believes what this and the following PrepCom meeting achieve in arriving at a consensus on forests has the potential for being one of the most significant outcomes of UNCED.



General Assembly

Distr.
LIMITED

A/CONF.151/PC/WG.I/L.20
14 August 1991

Original: ENGLISH

PREPARATORY COMMITTEE FOR THE
UNITED NATIONS CONFERENCE ON
ENVIRONMENT AND DEVELOPMENT
Third session
Geneva, 12 August - 4 September 1991
Working Group I
Agenda item 3 (a)

LAND RESOURCES: DEFORESTATION

Proposal on Forest Principles submitted by the United States of America

Attached are a set of proposed principles and related actions that might form the basis for reaching consensus on the elements of a global convention or agreement on forests. Taken together, the principles and related actions could serve to provide an international framework for nationally-based actions.

The "general principles" are meant to define the nature and structure of a forest agreement, whereas the "specific principles" identify areas of forest policy and management. Based on the principles, countries would be free to develop national strategies and take beneficial actions best suited to local conditions. The potential actions listed are illustrative of such implementation actions that might be taken.

I. PRINCIPLES FOR A GLOBAL FOREST CONVENTION/AGREEMENT

GENERAL PRINCIPLES

1. Global stewardship

Countries have a responsibility to engage in cooperative stewardship to improve global environmental quality for mutual benefit. They also have a sovereign right to manage their domestic natural resources pursuant to their domestic policies. Global stewardship and sustainable development depend upon the integration of healthy environmental quality and robust economic growth.

2. Global participation

Improvements in the management of forest resources will have global benefits. All countries share an interest in promoting such benefits, and all should share in efforts to achieve them.

3. International cooperation

Countries should be encouraged to realize their shared forestry goals through cooperative international arrangements. Such arrangements to improve forest resource management could include provision of education and training, research and monitoring, forest management planning expertise and financial and technical assistance.

4. Comprehensive coverage

All types of forests - boreal, temperate and tropical - and all types of global forest benefits, including economic, environmental, social and cultural - should be addressed in an agreement. This includes attention to the sustainable use of forests for, inter alia, forest products, biodiversity, greenhouse gas sequestration and indigenous peoples.

5. Flexible, performance-based approach

Progress on forestry should be measured by the results obtained, to allow maximum scope for creative, diverse, innovative and cost-effective policies that contribute to global forest benefits. Policies and practices should be flexible and able to respond to changing circumstances and new information. Countries should be able to pursue results through their own choices of specific forest management practices, both to respect the autonomy of sovereign States and to enhance the cost-effectiveness and dynamism of policies by allowing them to match local needs and opportunities.

6. Use of market mechanisms

To enhance flexibility and effectiveness, the use of market forces and mechanisms to achieve forestry goals should be encouraged, both domestically and internationally.

7. Integration of policies

Policies should comport with forestry objectives in such areas as economics and trade (including taxes, subsidies and tariffs), financial and technical assistance, and property rights and land tenure.

SPECIFIC PRINCIPLES RELATING TO PARTICULAR FOREST CONCERNS

8. Sustainable management

Promote sustainable management and stewardship of forests to meet present and future human needs for economic and ecological services. Act cooperatively for sustainable development combining healthy environmental quality and robust economic growth. Reduce adverse effects on forests by improving the efficiency of using land resources to meet human needs.

9. Conservation of forest diversity

Endeavour to conserve, maintain, restore and enhance the biological diversity of forested ecosystems, including genetic, species, ecosystems and landscape diversity.

10. Reforestation and rehabilitation

Strive to maintain and increase the total quantity and quality of forests to the extent economically and environmentally justified and appropriate.

11. Climate change

Seek to expand the use of forests as sinks and reservoirs for greenhouse gases, and endeavour to help forests adapt to potential climate change and changing atmospheric composition.

12. Air pollution

Seek appropriate actions to address the adverse effects of air pollution on forest growth and productivity wherever economically and environmentally justified.

13. Indigenous peoples and established local communities

Respect the needs of indigenous peoples who use forests as the basis for their livelihood, social organization or cultural identity. Recognize the need of established local communities which depend upon forest resources to have an economic stake in sustainable forest use. Raise local community awareness of the effects of their actions on forests and promote compatibility of their actions with attainment of forest management objectives.

14. Fuelwood and energy

Find means to meet the demands for fuel for cooking, heating and other energy while avoiding deforestation and degradation of forests.

15. Economics and trade

Integrate sustainable forest use objectives and policies with economic and trade policies. Harness market forces to achieve national, regional and international forest management goals. Foster use of debt-for-nature swaps and other innovative means.

16. Research and inventory

Expand forestry research, inventory and monitoring of the biological, physical, social, economic and other key variables that affect or are components of forest resources, forest ecosystems and forest use to meet multiple objectives.

17. Education and training

Strengthen institutional capabilities, improve education in the science, technology and economics of forests and forest management, and ensure full public access to information and public input to the decision-making processes related to forest management.

18. Financial and technical assistance

Use financial and technical assistance resources fully and efficiently to help countries implement national, regional and international forestry programmes aimed at the conservation and sustainable use of forests. Ensure that development assistance is consistent with sound forest use and stewardship.

II. POTENTIAL ACTIONS TO IMPLEMENT PRINCIPLES OF A
GLOBAL FOREST CONVENTION/AGREEMENT

A. What kinds of actions would be appropriate for a framework convention/agreement?

1. A framework convention or agreement on global forests should establish general obligations for the parties. The framework agreement could appropriately include:

(a) Development of and means to provide the scientific, technological, and economic knowledge needed as the basis for continuing international discussion and cooperation;

(b) General obligations for participants to support the principles of the agreement in ways suitable to their circumstances;

(c) Appropriate institutions to facilitate continuing scientific, technological and economic assessment, cooperative research, and general obligations;

(d) Provision for any subsequent protocols for which the scientific and other assessments may show a need.

Inventory and research

2. An adequate base of scientific, technological and economic knowledge and data about the world's forests is needed, both to support continuing international discussion and cooperation under an agreement and to provide the basis for improved forest management. A cooperative international programme could assess the current inventory and status of forest resources, future trends, and the status of non-forest uses which put pressure on forest resources.

3. Further research is needed in a number of areas, including the biological, physical, social and economic components of forest resources and ecosystems. Examples of areas needing further research include the measurement of multiple benefits, gaining a better understanding of key or leverage variables which affect forests, improving strategies for sound management, and better understanding of causes and alternatives to forest clearing.

Education and training

4. Countries with forest resources need to have the scientific and technical human resource capabilities to manage their forests effectively. Countries with expertise in forest management can help build these human and institutional capabilities. Because improved forest management can improve local economic performance at the same time that it delivers global forest benefits, providing education and training can serve the interests of both groups of countries.

Strategies for improving forest management

5. Countries could undertake, as a general obligation under an agreement, to develop and publish explicit national strategies for improving forest management.

6. Bilateral and multilateral assistance institutions could develop strategies to help their assistance programmes give forestry objectives appropriate priority and emphasis.

7. As a part of the development of such strategies, countries and assistance institutions should review policies and practices aimed at non-forest objectives in order to coordinate and integrate them with forest objectives.

B. Specific potential actions

8. The following are specific potential actions which fall into the three categories described above - inventory and research, education and training, and strategies for improving forest management. They are listed under the headings for specific principles relating to particular forest concerns.

Sustainable management

9. Undertake, as a general obligation, to develop and publish explicit national strategies for improving forest management.

10. Undertake, as a general obligation, to review major national policies and actions for their impacts on forests.

Conservation of forest diversity

11. Support a cooperative international effort to develop ways to measure and monitor biological diversity, to do research in support of the conservation of forest diversity and to provide technical and financial assistance to these efforts. Biological diversity encompasses diversity of species, habitats, and ecosystems. Additional work is needed to improve understanding and measurement of these factors.

12. Expand existing efforts to integrate biological diversity goals with multilateral and bilateral development activities.

Climate change

13. Support an expanded international cooperative programme of research into:

(a) The potential impacts of climate atmosphere change on forest productivity, health and diversity;

(b) Development, demonstration and enhancement of forest-based technologies that are economically sound while reducing further growth in net emissions of greenhouse gases;

(c) Development, demonstration and enhancement of technologies and practices to increase and enhance natural sinks of greenhouse gases;

(d) Development, demonstration and enhancement of technologies and management practices that will aid forest managers to adapt to climate and atmosphere change, while maintaining forest productivity, health and diversity;

(e) Development, demonstration and enhancement of technologies that use the potential of forests to provide an environmentally acceptable substitute for non-renewable energy sources.

14. Support an expansion of current international science, technical assistance, training, education, and fire management cooperation with a goal of reducing the destructive loss of forest resources to fire and a goal of reducing the emissions of greenhouse gases from forest and savannah fires.

Air pollution

15. Initiate a cooperative effort with countries with temperate and boreal forests to understand the effects of air pollution on forest productivity, health and diversity; to assess the damage to such forests from air pollution; to determine likely causes; to establish monitoring systems; and to evaluate restorative actions.

Reforestation and rehabilitation

16. Support through an appropriate international institution an inventory and assessment of deforested lands to help countries identify those lands that would produce the highest economic and other benefits from afforestation. Both lands recently deforested and lands deforested in the longer-term past could be evaluated using satellite imagery and on-the-ground assessment.

17. Take steps, domestically and through cooperative international arrangements, to enhance the quantity and quality of boreal, temperate and tropical forests.

18. Cooperatively assess the kinds of government policies and arrangements that discourage or encourage conversions of forest lands - tax structures, forest and agricultural incentives, land tenure arrangements, leasing or contracting procedures for harvest, and so forth.

19. Cooperatively expand technical and managerial assistance to developing countries to assist them in restoring degraded lands and their associated natural processes. Aid in developing sustainable multiple-use management plans, developing appropriate policy, legislation and administrative management plans.

20. Encourage public/private initiatives such as the Central America and Mexico Coniferous Resources Cooperative (CAMCORE). This international association of private companies, academic institutions and government agencies has the specific mission of preserving the genetic resources and economic potential of relatively little-known tropical coniferous tree species.

Inventory and research

21. Support a cooperative, international inventory programme:

(a) To develop improved forest inventory and monitoring criteria and techniques;

(b) To carry out an inventory of the world's forests, on a continuing and regular basis, assessing their:

(i) Sustainable capability to meet demands for forest products, services and non-market values;

(ii) Health;

(iii) Biological diversity, including species, habitat and ecosystem diversity;

(iv) Deforestation rates and patterns;

(v) Ecological changes;

(vi) Other current and projected changes, including conversion to other uses;

(vii) The effects and sustainability of forest management practices.

22. Initiate new international cooperative research programmes on tropical forests, agroforestry, sustainable development, forest diversity, forest health management, temperate forests, boreal forests, and reforestation of deforested and degraded forest lands. Proposals could include:

(a) Expanded emphasis on forest research in existing research centres of the Consultative Group on International Agricultural Research (CGIAR);

(b) Establishment of new regional forest research institutes under CGIAR (the United States could express interest in cooperating in the development of a tropical forest research centre in Latin America in the Amazon basin);

(c) Increased commitment to support tropical forest research in existing institutions such as the Institute of Tropical Forestry, Puerto Rico, the Institute of Pacific Islands Forestry, Hawaii and the tropical woods programme at the Forest Products Laboratory, Madison, WI;

(d) Identification and evaluation of key leverage variables: factors such as timber prices, food prices, taxes and subsidies, tariffs, property rights, air pollution and others that critically affect forest resource use;

(e) Establishment of a boreal forest cooperative programme to expand and coordinate research to assess resources, monitor productivity, health and diversity of ecosystems and evaluate sustainable forest practices for boreal forests;

(f) Advanced work in the valuation and comparison of multiple forest benefits, such as commercial forest products, non-forest products such as agriculture, fuelwood, pharmaceuticals, biodiversity, indigenous peoples' homelands and ecological services.

Education and training

23. Support in close coordination and cooperation with the network of regional forest research institutes and other ongoing international programmes, the development of a programme of formal and technical training designed to assure that all countries with forest resources have the institutional capabilities and access to the most up-to-date scientific resources, information and capabilities needed:

(a) To manage their forest resources in an economically and environmentally sound manner at the governmental level;

(b) To provide their farmers, agroforesters, and other non-governmental resource users with the extension services, technical assistance and other knowledge needed for sound use of forest resources.

Financial and technical assistance

24. Review bilateral and multilateral assistance programmes with a view, inter alia:

(a) To improve the long-term health and productivity of forest resources for the production of employment, income, forest products, services, recreation and habitat;

(b) To developing and publishing explicit strategies which give appropriate priority to projects or aspects of projects which focus on the sustainable use of forest and land resources to meet human needs for food, fuel, shelter and economic development;

(c) To ameliorate the adverse effects on the health and productivity of forest and land resources from other economic development projects.

25. Provide an international institution to coordinate information on debt-for-nature swaps by identifying swap opportunities and partners, drafting model agreements, brokering transactions and generally assisting countries and non-governmental organizations in such arrangements.

26. Look to the Global Environmental Fund of the World Bank as the source of funding for environmental improvements in the world's forests.

UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

STATEMENT BY US DELEGATION ON
CONSERVATION OF BIOLOGICAL DIVERSITY

(PrepCom III - Geneva - August 20, 1991)

The Secretariat is to be congratulated for its comprehensive, thoughtful, and balanced documents on the conservation of biological diversity. The scope of the proposed actions is immense, and we must begin to set priorities which will allow us as individual nations, and as members of regional and international organizations, to make the most effective use of available resources. Our suggestions for additions to the "Options for Agenda 21" on this topic focus primarily on the introduction of certain economic and developmental concepts centering on the proper valuation of ecosystems and the elements of biological diversity, and how they might relate to conservation issues. We would hope that in a second iteration of this options paper, there might be a more complete elaboration of concerns relating to sustainable development and how the conservation of biological diversity could best be integrated into developmental planning.

We are encouraged by -- and support -- the emphasis placed on increasing and harmonizing research on species, habitats, and above all, ecosystems. The diversity of life constitutes a unique resource for current and future generations. However, we are uncertain even of the magnitude of that resource. Many of the activities suggested in the options paper will enable us to increase our knowledge in that regard.

There is also a need for action now. We must identify specific activities to be undertaken immediately. In general, the US is opposed to setting targets and timetables for the scale and for the beginning or ending of these activities. In many cases, dates and targets are not realistic, and in others, they invite postponement of an immediate action. In some instances, if an activity is desirable -- and achievable -- it should be started as soon as possible and carried through to completion as soon as possible -- if indeed coming to some sort of closure is part of the activity's concept. In many cases, activities should remain open-ended, and evolve. In many cases, the appropriate scale of the activity is uncertain; hence, a flexible approach to both scale and timing is essential.

At the same time, this forum should not attempt to anticipate or preempt the Intergovernmental Negotiating Committee (INC) on Biological Diversity. As we look at the proposed activities, we should bear in mind that some are more appropriately addressed in the formal negotiating process of the INC.

Research and education are two areas that appear among the most fruitful for UNCED's consideration. We need to know what we have, how best to conserve and use it wisely, and how to fully appreciate the costs and benefits of such conservation and wise use, as well as of the costs of failing to husband our biological resources. It appears that destruction of biodiversity is often the result of inadequate understanding of the practical value to human society of its conservation.

We would like to draw the Working Group's attention to the fact that there already exists in the developing world at least one model institution which has made great contributions to the sustainable use of, appreciation for, education about, and conservation of biodiversity. It is the Instituto Nacional de Biodiversidad (InBio), in Costa Rica. As an example of what it has been able to accomplish on the research side, its committee identifies gaps in the knowledge about the country's biota, both from area and taxon standpoints, and fills these gaps by training parataxonomists. This procedure has been so efficient that Costa Rica has been able to expand its national insect collection in one year from 50,000 to 2 million prepared specimens. The InBio is also addressing land management and development issues, and is pioneering some novel approaches in the area of market-driven contracts with industry. As we begin to give shape to our proposed research and education activities, we suggest that it would be instructive to study the InBio model with a view toward understanding how it might be adapted for use elsewhere, and profiting from lessons learned by it.

UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

US STATEMENT ON UNGA DOCUMENT A/CONF.151/PC/67
"ENVIRONMENTALLY SOUND MANAGEMENT OF BIOTECHNOLOGY:
BACKGROUND AND ISSUES"

(PrepCom III - Geneva - August 22, 1991)

We are in general agreement with the stated objectives of UNCED PrepCom to facilitate the safe development and application of biotechnology techniques and products to problems of human health and environment, especially for developing countries. We fear the present approach by the UNCED Secretariat will not, however, advance these aims.

The report of the Secretary-General of the conference entitled "Environmentally Sound Management of Biotechnology: Background and Issues," or Document A/CONF.151/PC/67, is especially problematic. It is entirely unacceptable to our government as it stands, as it demonstrates a lack of familiarity with many aspects of biotechnology and the relevant literature. For the US Government to, in any way, endorse it, it would have to undergo substantial revision, preferably by experts in the field. Without such rewriting, this document, through its inaccurate and disproportionate view of risks of the new biotechnologies, as well as inflated expectations of their potential short-term benefits, is likely to lead to the creation of serious obstacles to the development and transfer to the developing world of biotechnologies and biotechnology products. This is the antithesis of what the UNCED process is supposed to be about.

We find three major shortcomings in the above-mentioned document. The first and fundamental one is that it fails to convey a clear understanding of the continuum that exists between "conventional" biotechnology, i.e., plant breeding, and "new" biotechnology, i.e., use of recombinant DNA. Unfortunately, this deficiency leads directly and inevitably to a failure to recognize that the term or concept of "GMO," or genetically manipulated organism, is not relevant when discussing the environmentally sound management of biotechnology. Whether an organism has been manipulated or not does not bear on risk to the environment. What is important and relevant are the characteristics of the end-product and how familiar we are with them. To treat GMO's as inherently dangerous solely because of the way they have been produced is to put ourselves in an uncomfortable and wholly-unnecessary, regulatory straight-jacket. This will be particularly burdensome to nations of the developing world.

The view of the US Government is that genetic manipulation of innumerable organisms by many techniques -- new and old -- has been carried out for decades, if not centuries. We are, therefore, familiar with these organisms and their products through experience in research, development and commerce. As stated above, safety reviews and regulation should focus on the characteristics and risks of the biotechnology product, and not on the process by which it is created (US National Research Council, 1988; National Council on Competitiveness Report, 1991.) This conclusion is strongly supported by numerous scientific studies. The lack of clarity in regard to old versus new biotechnologies, to the terms "transgenic" and "GMO" and their significance, and to the safety aspects of biotechnology products, is evident in paragraphs 19, 25, 32, 68, 70-74, and 129, inter alia, of the document under discussion.

The second major shortcoming derives from the first. The basic misunderstandings of both science and safety characteristics discussed above have caused an inappropriate and overly intense focus on risk. It is unbalanced in that it does not give sufficient consideration to the vast experience of governments, industry and consumers with genetically-altered organisms used for many years, in both contained and uncontained environments, to produce all manner of essential products and services. This large body of experience with past developments in medicine and agriculture provides a sound basis for risk assessment and prediction. It also shows that biotechnology products are likely to be, for the most part, safer and more environmentally friendly than those they will supplement or replace.

Third, we are concerned that an undue burden is being placed on the new biotechnologies to solve the world's health, food and environmental problems by the year 2000. While it is reasonable to expect that biotechnology will make useful contributions, it will take many years of research and development for this to occur, and even then it will not be the answer to all our problems. We hold the progress of commercialization of biotechnology products in the US and other countries as an example: products have been far slower in coming, and more modest in impact, than the popular press has led the public to expect. We need to be realistic about the timeframes and expectations that can be placed on future developments in biotechnology, and examine the progress that can be made with our current knowledge, preventive measures -- such as clean drinking water -- and existing medical technologies to improve health and alleviate hunger throughout the world.

Finally, we would appreciate recognition of the fundamental fact that while technology cooperation among governments and with the private sector is a primary goal of UNCED, as well as the US, intellectual property rights have been key to advances in biotechnology. If there is to be continued participation by industry in research and development, intellectual property rights must be respected.

In an attempt to assist the Secretariat, US experts in the field of biotechnology from the Department of Agriculture, the Environmental Protection Agency, the Food and Drug Administration, the National Institutes of Health, and other agencies submitted through the Department of State detailed comments on an earlier version of the document under discussion. An expert from the Department of Agriculture also participated in the London workshop to help clarify the US view. We note that only a small number of our previous detailed corrections and suggestions have been embodied in the current version of the document. We are disappointed and frustrated that the great majority were not accepted.

In this regard, we were particularly struck by paragraphs 70 and 71, which discuss methods for safety assurance for new biotechnology products. This draft material lays out a rigid and inflexible approach described as "step-by-step" that is contrary to the findings of every authoritative study of these issues that has been done to date, even though a number of those studies are cited in this draft. In particular, at the London workshop, our representative described at some length the 1986 OECD findings on the need for and basis of a flexible approach that can take into account the past experience and facilitate adaptations in response based on the rapidly growing body of data directly relevant to these questions. In London, assurances were given by members of the UNCED Secretariat that this information would be reflected in the re-draft. It is not. This failure renders useless or misleading much, if not most, of what follows paragraphs 70-71 on the topics of risk assessment and management.

We will list a few other details to demonstrate what we regard as the inadequacies of the background document. The following comments are only representative, reflecting a few of our more serious reservations to the existing draft.

The material in paragraphs 19-20 is seriously out of date. As of this writing, no less than 15 crops, transformed with respect to over 40 distinct characters, have been tested in the US alone. To date, over 200 field tests have been conducted in the US alone. The worldwide total is significantly higher in both categories. None of these field tests has resulted in any negative safety consequences.

Paragraph 23 seriously misstates the situation with respect to the environmental implications of transgenic plants resistant to herbicides. Authoritative refutations of this view can be found in "Herbicide-Resistant Crops" (report of the Council for Agricultural Science and Technology, May 1991) and in "Harvest of Hope" (Natural Resources Defense Council, May 1991), and throughout the primary literature.

Paragraph 24 pushes conclusions with respect to engineered resistances to viral diseases farther than the data justify. Some of the judgments in this paragraph are highly speculative, not backed by data, and unsupportably optimistic.

Paragraph 28 vastly overstates the average yield gains that can be expected from bovine somatotrophin. A May 1991 report from the US Office of Technology Assessment estimates average gain for an individual farm in the United States (incorporating high-quality food supplements and intensive management techniques) at 12 percent, not 41 percent.

Paragraph 54 states that "the challenge is to develop institutional mechanisms that will allow the transfer or acquisition of propriety biotechnology applications from developed countries, particularly the private sector, to the benefit of developing countries." In the US view, this statement is inaccurate, as these mechanisms exist now in the form of licensing and other commercial arrangements.

Paragraphs 70ff, on general principles for safety in biotechnology, present an excessively inflexible view that is at least five years out of date. The focus on GMO's is not helpful, creating more problems than it resolves. This material also ignores the key finding of all the major authoritative examinations of this issue, that any regulatory approach must be flexible, so as to facilitate adaptations in response to increases in knowledge, experience, and understanding in this rapidly developing field. It also misstates the case with respect to the possible categorization of risk levels for transgenic products, again contradicting virtually all the authoritative studies.

Paragraph 110 overstates the need for contingency plans and mitigation procedures. Certainly, in selected cases, they are appropriate. For tomatoes or maize, particularly in North America, experience to date demonstrates that for the most part, they are not. To state the need in such absolute, and unqualified, inflexible terms, is, in our opinion, supportive of our contention that this document will create precisely the kinds of barriers to new technologies that UNCED wishes to avoid.

Paragraphs 113 and 114 are inappropriate as they refer in part to an OECD report which is not yet completed or released. Further, the US does not agree with the substance of the comments on monitoring.

In view of these numerous defects, and the limited time remaining within which to complete the preparatory committee work for UNCED, we strongly urge that future efforts be devoted to ensuring that the "Options for Agenda 21" are as focussed and productive as possible. We recommend that no further energy be expended in efforts to repair this badly flawed document, PC67.

In the spirit of making the Rio conference successful, and particularly in stimulating it to help address some of the serious challenges facing developing countries, we offer some additional suggestions (separately) for the Options for Agenda 21."

PROTECTION OF OCEANS, ALL KINDS OF SEAS INCLUDING
ENCLOSED AND SEMI-ENCLOSED SEAS, COASTAL AREAS
AND THE PROTECTION, RATIONAL USE AND DEVELOPMENT
OF THEIR LIVING RESOURCES

Preparatory Committee for the 1992
UN Conference on Environment and Development
August 12, 1991

Mr. Chairman,

The United States notes with appreciation the considerable effort that went into the preparations of the documents for Working Group II, related to oceans. These papers raise a number of points of great interest to the United States and we thank the Secretariat for bringing them to our attention.

The United States believes that the UNCED forum provides a unique opportunity to further concrete objectives in the oceans arena and will continue to pursue substantive progress in promoting:

-- elaboration of principles, as initial fulfillment of the provision of the 1982 United Nations Convention of the Law of the Sea, to deal with landbased sources of marine pollution;

-- encouragement of cooperation in coastal zone management techniques, including through the relevant international organizations with an emphasis upon developing local capacity and regional interaction;

-- application of ecosystem, multi-species management of marine living resources, in order to provide for conservation, including rational use, of fisheries populations;

-- cooperation through the relevant international organizations in integrated monitoring of the marine environment; and

-- improved coordination of regional and international coastal and marine programs.

The United States welcomes the background papers and believes they can provide an important basis for action. The United States believes that it is essential to articulate a clear set of objectives for the oceans as a basis for action at the national, regional and international level. In this regard, the United States would draw the Chairman's attention to the document introduced by the United States at the last session (A/CONF/151/PC/WG.II/CRP7). We look forward to Working Group II discussions where we hope to contribute to the clarification of objectives and activities anticipated in the oceans arena.

Turning to the specifics of the Options for Agenda 21 paper (42 Add. 6), the United States supports many of the objectives and action items. However, we believe that Working Group II can improve the options for Agenda 21 at this PrepCom by refocusing it to achieve consensus on the objectives of the overall paper as well as identify appropriate objectives for the various ocean sectors.

The paper espouses taking an integrated approach to ocean and coastal resource management. We wholeheartedly endorse this. However, the section of the paper which presents the sectoral objectives and action items segregates all of the discussions. For this reason, we think we should re-organize the paper to emphasize the need for integrated science, data collection, and capacity building necessary to accomplish truly integrated management of ocean and coastal resources. Mr. Chairman, we would be happy to provide you with specific ideas of how we might accomplish this. We look forward to hearing from others and hope that there will be enough time allotted to this important task.

Thank you, Mr. Chairman.



General Assembly

Distr.
LIMITED

A/CONF.151/PC/WG.II/L.15
13 August 1991

Original: ENGLISH

PREPARATORY COMMITTEE FOR THE UNITED NATIONS
CONFERENCE ON ENVIRONMENT AND DEVELOPMENT
Third Session
Geneva, 12 August-4 September 1991
Working Group II
Agenda item 2

PROTECTION OF THE OCEANS AND ALL KINDS OF SEAS, INCLUDING
ENCLOSED AND SEMI-ENCLOSED SEAS, AND COASTAL AREAS AND
THE PROTECTION, RATIONAL USE AND DEVELOPMENT OF THEIR
LIVING RESOURCES

Principles on the use and protection of the marine environment

Contribution submitted by the delegation of the
United States of America to Working Group II at
the third session of the Preparatory Committee
for the United Nations Conference on Environment
and Development

Oceans

Principles on the Use and Protection of the Marine Environment

The marine environment - comprising all ocean and coastal waters, including inter-tidal zones and salt water marshes, as well as adjacent coastal and riparian land areas, and extending, in the case of watercourses, up to the freshwater limit - forms an integrated whole whose health is essential to the protection of the environment of the planet and the sustained use of its resources.

In order to maintain and sustain the life-support and productive capacity of the marine environment, for both present and future generations, action is required at the national, regional, and global level. To this end, States, consistent with international law and in particular the relevant rights and obligations set forth in the United Nations Convention on the Law of the Sea, shall promote:

General

1. Reduction as far as practicable of the risk that human activities will cause irreversible change in or long-term adverse effects upon the marine environment, including coastal and marine ecosystems;
2. Preservation of the biological diversity and productivity of marine species and maintenance of the ecological relationships among populations of such species;
3. Integration of protection of the marine environment into overall environmental and economic development policies;
4. Development of national income accounting practices that reflect changes in value resulting from uses of the marine environment, including pollution, loss of marine resources and habitat destruction;

Management

5. Development and implementation of integrated programmes for understanding and managing the coastal zone;
6. Development and implementation of integrated programmes for understanding and managing marine ecosystems;
7. Prior assessment of the potential significant adverse environmental impacts of major governmental policies, programmes and projects upon the marine environment;
8. Acquisition and availability of information and data adequate for prior assessments of the potential significant adverse environmental impacts of and informed judgements about major governmental policies, programmes and projects affecting the marine environment;

Marine species

9. Ensuring as far as practicable that human activities do not result in the decrease of any population of marine species below a level at which its recruitment is stable, specifically below a level close to that which ensures the greatest net annual increment;
10. Restoration to the levels set forth in principle 9 of populations of marine species that have been depleted by harvesting;

11. Protection and restoration of populations of endangered or threatened marine mammals, sea turtles and other species that inhabit or depend upon the marine environment;

12. Provision of reliable and adequate data and information, including verifiable catch and effort statistics, on the commercial harvesting of populations of marine species, including by-catch statistics in order to assess and predict the effects of such harvesting;

13. Use of selective fishing gear and practices that avoid significant waste of catch of target populations of marine species or in the significant by-catch of non-target species, including marine mammals, sea-birds and turtles;

14. Introduction of new fishing practices and fishing gear only if prior assessment demonstrates that such gear or practice will not result in significant waste of catch of target populations or in the significant by-catch of non-target species, including marine mammals, sea-birds and turtles;

15. Ensuring that each population of marine species that is the target of fishing activities is harvested in areas and at the stage of its life cycle that ensures maximum economic efficiency, consistent with these principles;

16. Ensuring that high-seas fisheries are not directed toward straddling stocks of marine species fully utilized by fisheries on the same populations in adjacent coastal waters;

Protected areas

17. Designation of areas of the marine environment for special protection in order to protect rare or fragile ecosystems;

18. Special measures to preserve the habitats of populations of marine species, including designation of marine and coastal protected areas, in particular breeding, spawning and nursery areas, as well as areas of high biodiversity;

19. Designation of marine sites for the purpose of preserving or restoring their scientific, wilderness, recreational or aesthetic value, as well as for monitoring changes in the marine environment and to preserve unique opportunities for scientific research;

Marine pollution

20. Economic incentives to limit industrial and agricultural practices that produce, as emissions, by-products or residues, potential pollutants of the marine environment;

21. Adoption and implementation of measures necessary to prevent, reduce and control pollution of the marine environment from all sources;

22. Adoption and implementation, as a matter of priority, of measures to prevent, reduce and control pollution of the marine environment from land-based sources;

23. Special measures to eliminate or reduce to the minimum practicable the discharge of pollutants that are bio-accumulative;

24. Coordination and integration of measures to protect the marine environment in such fashion as to reinforce each other and achieve maximum benefit in the protection of that environment;

25. Coordination and integration of marine environmental protection measures with other environmental protection measures in such fashion as to achieve maximum benefit in the protection of the environment as a whole;

Marine scientific research and monitoring

26. Scientific research on and regular monitoring of the marine environment, in areas within, as well as beyond, the limits of national jurisdiction;

27. Collection, as a matter of priority, of data and information necessary for determining the need for, and assessing the effectiveness of, measures to protect and preserve the marine environment and its resources;

28. Coordination and integration of national and international programmes of scientific research on and monitoring of the marine environment to take maximum advantage of opportunities to collect data and information necessary for understanding the oceans and for action to protect the marine environment and its resources;

Data and information management

29. The storage, archiving, analysis, and full and open sharing of data and information resulting from scientific research on and monitoring of the marine environment;

30. Development of standard, intercalibrated procedures, methods and measuring techniques to ensure the comparability and compatibility of data and information resulting from scientific research on and monitoring of the marine environment;

Public participation

31. Access for individuals, groups and organizations concerned with marine environmental issues to all relevant information and provision of opportunities for consultation and participation in planning and decision-making concerning activities which may affect the marine environment;

32. Regular exchange and public availability of information on actions to implement these principles.

PREPARATORY COMMITTEE FOR THE 1991
UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

STATEMENT BY THE U.S. DELEGATION ON FRESHWATER RESOURCES

(PrepCom 3 - Geneva - August 14, 1991)

Mr. Chairman, we wish to compliment the Secretary-General and his staff for preparing a complete report which summarizes the many complex issues related to protecting the freshwater resources of the globe. We share the view of many, that heightened competition for adequate supplies and accelerated stress on the quality of our surface water and ground water resources will continue to have significant effects on economic security, human health, ecological vitality, and political stability.

Demands for freshwater now exceed the reliable water supply in many regions of the world. The lack of supply often creates conflicts between competing water uses. Droughts experienced in parts of Africa, Europe and Asia reinforce the devastation associated with water shortfalls. In addition, floods continue to occur worldwide creating a different freshwater problem. The task to address freshwater quantity and quality issues is challenging.

The United States supports in large measure the general focus and the specific recommendations proposed to this PrepCom under its "Options for Agenda 21." While the draft outlines a wide spectrum of objectives, some of these goals should receive the bulk of attention with regards to concrete recommendations for implementation:

- to achieve significant gains in the delivery of microbiologically-safe drinking water;
- to establish treatment facilities for sanitary wastes from rural and urban areas, and treatment facilities for all major categories of industries;
- to foster through all bilateral and multilateral endeavors, the adoption of waste minimization and water conservation measures;
- to evaluate the consequences of water development projects on the physical, chemical, and biological character of freshwater resources, and to weigh such environmental issues on an equal basis with considerations of the economic costs and benefits of such proposed projects;
- to recognize that the conservation and improvement of aquatic species, habitats, and ecosystems are goals which must be recognized as vital to the long-term health, economic, and political stability of the world;

-- to recognize further that low water flows and discharges of pollutants not only affect our fisheries and wildlife, but also seriously jeopardize our estuaries;

-- to improve prediction and forecasting of surface water surges to reduce flood damage;

-- to recognize that, although there is disagreement over the magnitude expected through global climate change, even small changes could affect our water resources and predictability of water supplies; risk assessment and global climate change should be considered when predicting freshwater supplies;

-- to recognize that demands for freshwater now exceed reliable supply, causing conflict over allocation of this resource.

The United States generally supports the incorporation of quantitative measures such as criteria and standards for gauging the success of freshwater resource protection programs, a concept embodied in the options analysis. The concept will only be meaningful, however, if consensus is achieved on the definition of the objective measures.

The U.S. places great importance on the outcome of the International Conference on Water and the Environment scheduled to take place in Dublin, Ireland, January 1992. We believe that the freshwater program activities for Agenda 21 should reflect the outcome of this Conference. We urge the Secretariat to encourage the WMO Conference to closely follow the guidelines for work set forth in the decisions of the UNCED. The U.S. will be sending water experts to the Conference.

U.N. CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

U.S. STATEMENT ON TOXICS ITEM

(Prepcom III - Geneva - August 21, 1991)

Mr. Chairman,

We wish to commend the Secretary General and his staff for preparing papers on toxic chemicals which discuss a wide range of issues and identify a number of important programs involved in chemicals within and outside of the U.N. system. We believe that the challenge facing organizations concerned with the protection of human health and the environment is managing and reducing risks associated with the manufacture, trade, use and disposal of toxic substances.

The U.S. supports and is committed to the following approaches:

-- Greater harmonization of control standards and assessment methodologies to facilitate free trade, reduce costs and the number of animals used in toxicological testing, and provide more consistent information of chemicals risk. There should be a coordinated effort among UN agencies such as ILO, IPCS, FAO, UNEP and WHO. The IPCS should have a greater role in the interagency process.

-- Risk reduction and pollution prevention as the central tenets of any chemicals control program. The U.S. strongly favors a broad-based approach for reducing chemical risk which could involve both regulatory and non-regulatory measures, including the use of more environmentally benign products and processes, emissions inventories, labelling, use restrictions, economic incentives, and bans. The U.S. does not support efforts to list hazardous chemicals for eventual phase-out as safer substitutes are identified. This "all or nothing approach" ignores risk reduction alternatives short of a ban which would allow for continued use of a chemical under specific conditions where risk would be considered acceptable.

-- Use of a pollution prevention decision-making hierarchy which consists of the following: (1) source reduction (including chemical substitution, technology changes and improved management practices), (2) responsible recycling and reuse, (3) improved treatment technologies, and (4) improved disposal technologies. This hierarchy of options

should be considered within a life-cycle approach to chemicals management covering chemicals manufacture, trade, use and disposal.

-- Reductions in the over-dependence on the use of agricultural chemicals through alternative farming practices, integrated pest management, or other appropriate means. Sound pest management is a small but important component of sustainable agriculture.

-- Endorse the principle of Community-Right-To-Know (CRTK) and member states to establish national programs which provide public access to information about chemical stockpiles and emissions.

-- Countries to implement UNEP's program on Awareness and Preparedness for Emergencies at the Local Level (APELL) and other programs consistent with the OECD's Guiding Principles for Accident Prevention, Preparedness and Response. The U.S. also looks forward to the world-wide use of the UNEP/OECD International Directory of Regional Response Centers and the UNEP pilot study establishing a Center for Urgent Environmental Assistance.

-- Support for Industry Initiatives like Responsible Care. Such initiatives go beyond government regulation, requiring members of chemicals trade associations to adhere to specific standards of environmentally sound chemicals management. The U.S. strongly supports these efforts and believes they can serve as an important complement to government regulatory programs.

-- Strengthening IPCS: The International Program on Chemical Safety (IPCS) is well positioned to play a major role in efforts to harmonize international chemicals standards and methods, as well as assist in the coordination of international activities involving chemicals. IPCS has been highly effective in achieving its mission of evaluating chemical risks and providing training and material on chemical safety. The U.S. favors proposals for strengthening IPCS.

-- Prioritizing Work on Chemicals: Better prioritization and coordination of international work will facilitate sound environmental management of toxic chemicals world-wide, avoiding duplication of effort, identifying gaps, and targeting limited resources more efficiently. The U.S. agrees that it is important to direct international work in chemicals assessment and management toward those chemicals which pose the greatest risks to human health and the environment.

-- Strengthening the chemicals management regulatory infrastructure. Coordination and strengthening of UN training and technical assistance programs which cover chemical evaluation, safety, emergency preparedness and response, risk management and reduction, environmental and human health monitoring, data management, pesticide regulation, other areas of chemicals control.

Among the principles listed in the Secretariat paper, the US would suggest three additions: 1) recognition of the role of and responsibilities of the various parties (governmental, nongovernmental and international) engaged in chemical trade and use to implement practical systems for the exchange of information, technical assistance and regulatory cooperation; 2) Community Right-To-Know approach which allows the public access to information about the risks to human health and the environment posed by chemicals; and 3) risk reduction as a central focus of chemicals management taking into account the entire life cycle of chemicals.

The US recommends the following proposals for consideration in Agenda 21:

-- Toxic Chemical Release Inventories - UNCED review emissions inventory programs as possible tool for reducing risk associated with toxic chemicals and consider how information on setting up and maintaining these types of programs can be better shared internationally, possibly through a clearinghouse mechanism or guidance documentation. The Toxic Chemical Release Inventory (TRI) program in the U.S. requires manufacturing facilities using significant quantities of toxic chemicals to report annually on the total emissions of these substances; this information is then made available to the public. Since TRI's enactment many of the largest manufacturers have made or are committed to make significant reductions in emissions of hazardous chemicals. Although other factors may have contributed to these reductions, the information generated and disclosed under TRI has helped companies to identify and correct inefficient processes and motivated them to voluntarily reduce emissions for reasons of public accountability and environmental responsibility. Like many new programs TRI is not without its flaws, however, the U.S. believes that similar emissions inventory programs, adapted to particular country or regional needs, could serve as an effective risk reduction tool within a broader chemicals management structure. As with any program involving information collection, governments should be careful to collect only essential information in the most efficient manner feasible and without unduly burdening to respondents.

-- Risk Communication Guidelines - UNCED adoption of guiding principles for risk communication. Simply making chemical risk data available is not sufficient to ensure that the public will accurately perceive this information. Sound principles for communication risk include: (1) accepting and including the public as a legitimate partner in decisions concerning risk, (2) carefully planning communications to the public, (3) providing the public the opportunity to make comments, (4) coordinating and cooperating with non-governmental entities such as physicians or local officials, (5) providing media guidance.

-- Code of Conduct for Industrial Chemicals - Encourage UNEP to invite industry to develop an internationally agreed upon Code of Principles for the Management and Trade in Chemicals which would provide a flexible framework for developing countries to establish their own chemicals control programs. The proposed Code for industrial chemicals would parallel the voluntary FAO Code on the Distribution and Use of Pesticides in International Trade and cover testing, handling, labelling, packaging, trade, and information exchange.

-- Intergovernmental Mechanism for Chemical Risk Assessment and Management - Increased coordination may be encouraged through the establishment of a unit to oversee and coordinate activities of U.N. agencies and other national and international organizations involved in chemicals assessment and management.

Recommendations the US will not support include:

-- A legally binding instrument. Given that countries have yet to gain experience from participating in a functioning PIC procedure, the U.S. believes that efforts to "strengthen" PIC through a legally binding instrument are premature.

-- Establishment of an international mechanism to regulate and prohibit, as appropriate, trade in products (chemicals, wastes, processes, technologies) which are banned or severely restricted in their country of origin. This proposal appears to duplicate work in other fora (e.g. UNEP/FAO PIC procedure).

-- New international regulatory procedures or requirements for certain chemical products such as food additives, color additives, and drugs. All of these products are already closely and adequately controlled by other mechanisms.

- Restriction of trade in domestically prohibited products. The US believes that restrictions on exports of such products may be appropriate in limited circumstances and only when there is domestic legislation prohibiting the import of the products.

In summary, the U.S. is committed to pursuing global solutions to global problems. The cumulative impact of more sound environmental management of chemicals in international trade and within U.N. member states will be a planet less at risk to the hazards of toxic chemicals.

UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT
STATEMENT BY THE US DELEGATION ON HAZARDOUS WASTE

(Prepcom III - Geneva - August 19, 1991)

Madame Chairperson,

In the view of the US delegation, the most important item before UNCED in the area of hazardous waste management is the expedited implementation of the Basel Convention to Control Transboundary Movements of Wastes, and we believe the bulk of resources in the waste area should be devoted to this end. After the Convention is implemented, it can served as the central mechanism for additional waste work, such as on recycling, waste minimization and training programs in hazardous waste management.

The United States Congress is now considering legislative proposals to allow domestic implementation of the Basel Convention, including a proposal developed by the President to ban all exports of hazardous waste except where there is a bilateral agreement with the receiving country.

We support the overall UNCED objective of a "cradle to grave" framework for hazardous waste management, in both developed and developing nations. The U.S. has long supported such a concept for hazardous waste management and in 1980, it enacted the most stringent hazardous waste management standards in the world.

The U.S. also supports the UNCED objective of waste prevention and minimization as an important element in any waste management regime. However, the U.S. opposes the establishment of specific quantitative targets, both because we lack the authority to act on such targets, and because the current state of measurements in this area is inadequate to ascertain absolute measures of progress.

The activities suggested as possibilities in Agenda 21 for achieving significant waste reduction are generally viable ones. However, we do not believe that investigations of the economic impacts associated with waste generation and management is a high priority for Agenda 21. While its inclusion is, of course, appropriate to a full work program, it is relatively difficult to measure across nations, given the significant difference in waste management standards and economic benefits associated with waste generation in terms of goods in commerce.

Each of the activities associated with the goal of enhancing national institution capacities in hazardous waste management are reasonable mechanisms to achieve that end. However, the U.S. cautions against a commitment to extensive new efforts given the prevailing resource constraints. In our view, support should not be given to a revolving fund as referred to in number 31 of Agenda 21 at this time.

UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

U.S. POSITION ON "ENVIRONMENTALLY SOUND MANAGEMENT OF SOLID WASTES AND SEWAGE-RELATED ISSUES: BACKGROUND"

(Prepcom III - Geneva - August 20, 1991)

Municipal solid waste (MSW) management is an issue of growing concern in the United States principally because we are experiencing a regional imbalance between the quantity of MSW generated and the capacity to dispose of it. The Environmental Protection Agency (EPA) is working within our nation's existing statutory framework to help alleviate the problems posed by this imbalance of MSW generated by government, industry, business, and our citizenry.

Within the United States, the management of MSW is the primary responsibility of state and local governments. The federal role is one of facilitation. EPA establishes the framework within which states and localities carry out their responsibilities regarding MSW management. EPA also assists in the exchange of relevant information among the various state and local governments. The agency stresses the use of the concept of integrated waste management, a holistic approach involving the use of some or all of the four waste management options: source reduction, recycling, incineration with energy recovery and safe disposal. The appropriate combination of these options can be molded into an integrated waste management system where each component complements the others to manage the waste safely and efficiently.

The US Government supports the three-tiered hierarchy advocated in the report. First is source reduction to reduce the volume and toxicity of MSW. Next is recycling to divert materials from landfills and incinerators, conserve energy, and slow the depletion of nonrenewable natural resources. Last is safe disposal, including landfilling and incineration. We also emphasize that planning is essential to ensure that waste management systems are appropriately integrated and effective and that requisite infrastructures are provided. We believe that the document places appropriate emphasis on the importance of the planning process.

EPA believes that it can reduce reliance on the disposal option through source reduction techniques such as the elimination of unnecessary packaging and increased emphasis on reusable products. We are also optimistic about the future of recycling. In the United States, our rate of recycling increased as much between 1986 and 1988 as it did between 1960 and 1986. In the last few years, we have seen a substantial

increase in the number of recycling programs established by our local governments. Over 2700 communities now provide curbside collection of recyclables, an increase of well over 250 percent over a two year period. Over the same timeframe, we have seen a doubling in the number of composting programs.

The US is continuing to work with state and local governments to encourage waste minimization in our businesses and our households, to help establish markets for recycled products, to identify ways to improve the economics of collecting and recycling recoverable materials, to promote yard waste composting, and to ensure the safe disposal of those materials that cannot be eliminated through source reduction or recycled.

Similar to recycling programs of many governments, we would invite the United Nations to develop an internal recycling program for paper, aluminum etc.

In conclusion, the U.S. approach to MSW management is consistent with the principles articulated in the report and are pleased with the emphasis placed on waste minimization as a means of reducing reliance on solid waste disposal options. We believe that the document, as a background paper, provides a useful framework for discussion.

STATEMENT OF U.S. POSITION

UNCED PREPCOM III

STATEMENT OF GENERAL PRINCIPLES (A/CONF.151/PC/78)

Mr. Chairman,

There has been much talk, although little formal discussion among governments, of an "Earth Charter." The Secretary General has spoken of it quite a bit. We have also seen quite a lot of hard work by various non-governmental organizations focusing on this issue, much of it covering very different ground.

Yet, calling for an "Earth Charter," as some have, presupposes a consensus about the need for a certain type of document and agreement on the purposes it might serve. That consensus does not exist. The United States has not reached a decision on whether there should be an "Earth Charter." Let us first examine our needs and purposes, then decide how to express them. I would like to take this opportunity to review for you the United States' views on this matter.

First, a note of caution. We have already considered in this group a long list of existing international legal instruments on the environment, many of which create very

8/20/91

important legal obligations and require specified actions. The number of international political statements on the environment is also large and growing as are lists of competing environmental principles, as is evident in the extensive note prepared by the Secretariat. Yet there is always a temptation to defer the hard questions of adherence to existing instruments in favor of expending energy drafting still more high-sounding principles. The temptation is of course much greater before a conference as universal and important as UNCED. But the need to do something about the lack of effect given existing instruments and statements of principles is also more acute at UNCED.

We are anxious to hear others' views on both the concept of such a document and its content. Let me assure you that the United States is ready and eager to discuss the issues and ideas that might be embodied in this or some other document containing non-binding principles. In fact, we have specific suggestions about what principles UNCED should endorse.

UNCED Principles Should Build on the Stockholm Declaration

The principles of the Stockholm Declaration are now twenty years old, and many of them have become widely accepted by

states. Some, such as Principle 21, which so elegantly describes the essential relationship between a state's sovereignty over its natural resources and its obligation to prevent environmental harm to foreign states, must not be disturbed. We should not try to replace the Stockholm principles. Rather, we should build on its foundations and our twenty years of experience. We should look forward, to our hopes for a sustainable future.

UNCED Principles Should Reflect Basic Principles of Democracy
Essential to Sustainable Development

The right of individuals and groups to participate in the government of their country at a local and national level is a fundamental tenet of democracy, enshrined in the Universal Declaration of Human Rights. Equally fundamental are the basic individual and group freedoms that are the birthright of all human beings: the right to free expression of ideas, to assemble peacefully, to seek and disseminate information, to participate in public debates.

No new statement of environmental principles would be adequate without a recognition of these rights because sustainable development can only be accomplished through the democratization of environment and development policy-making. Accordingly, UNCED should proclaim basic principles related to

the participation of the public in government decision-making about the environment and development. UNCED should also set forth guidelines for governments on the sharing of information with the public and other governments about the environment and development. It should also include essential points related to public participation in environmental impact assessments, which should be conducted by all states prior to undertaking major domestic actions with potential significant effects on the environment.

UNCED Principles Should Reflect the Central Role that Market Mechanisms Play to Achieve Sustainable Development

The importance of free markets and market mechanisms to economic development and environmental protection has become more and more apparent with the decline of the centrally planned economies and revelations about the environmental damage they wrought. Around the world, governments are seeking to develop market-based solutions to development and environmental problems.

An UNCED statement should reflect the importance of market principles by affirming the principle that a polluter must pay the costs to the environment of his pollution, stating the general need for markets to reflect full economic accounting of environmental costs and benefits, and the use of a variety of

economic instruments, such as emission charges, tradeable permits, and reductions of subsidies, to harness market forces in the service of environment and development goals. These instruments are more environmentally effective and more economical than central "comand-and-control" technology-based approaches, and therefore are critical to the integration of environment and development.

UNCED Should Define a New Relationship with the Biosphere

In our conversations over the last few months we have heard many times of the need for the countries of the world to redefine their relationship to the Earth and its ecosystems. We are becoming more and more aware of the interdependence of all the world's life systems. It would be appropriate for us, representing the countries of the world, to make a statement recognizing fully our interdependence.

Finally, Mr. Chairman, we would like to thank the Secretariat for the very useful background information the Secretariat has provided for our consideration of this agenda item. We governments now have the information we need to carry on our work. Whatever approach we decide to take, let us not engage in simply repeating the language of the past, much of which represents less than a consensus view. Our job as governments is to move the debate forward.

ENVIRONMENTAL PRINCIPLES

The Following are principles reflected in the Statement of the United States of America to Working Group III of August 20, 1991. They are presented to the Chairman of the Working Group at his request for use by the Secretariat in compiling a non-paper. This non-paper will be a compilation of principles submitted by interested delegations, for presentation to the Working Group to consider in informal sessions.

I. UNCED SHOULD DEFINE A NEW RELATIONSHIP WITH THE BIOSPHERE

-- We, the people of the world, understand that the Earth is a unique, whole and interdependent system. We are conscious that many of our past perceptions and relationships are no longer adequate, and that we must teach ourselves and our children that whatever we humans do to the world in which we live, we do to ourselves.

-- In light of our understanding of the planet as a functioning whole, in which all of its ecosystems are interrelated, we fully recognize our mutual interdependence. We must live in balance with nature to ensure the continuity and quality of life for future generations.

II. UNCED PRINCIPLES SHOULD REFLECT BASIC PRINCIPLES OF DEMOCRACY ESSENTIAL TO SUSTAINABLE DEVELOPMENT

-- Sustainable development requires the democratization of environment and development decision-making. To this end, wider participation of individuals, groups and organizations at all levels, local, national, regional and international, will be essential.

-- In accordance with the Universal Declaration of Human Rights, individuals, groups and organizations concerned with the environment and development have the right to participate in the government of their country at a local and national level. This right includes the rights to express ideas freely, to assemble peacefully, to seek and disseminate information, and to participate in public debate.

-- To further these ends, the following rights should also be respected by all states and incorporated in national laws and regulations.

(a) Community Access to Information

- Individuals, groups and organizations should have access to information relevant to the environment on products and activities which have or are likely to have a significant impact on the environment, and on environmental protection measures.

- Communities should have access to information about hazardous materials and the potentially serious impacts of industrial accidents in their area, including information on contingency planning, and should be informed immediately when such accidents occur.

- National authorities should make available at regular intervals reports on the state of the environment.

(b) Consideration of the Public's View

- The views of the public should be taken into account in government decision-making processes related to the environment and development.

- Competent authorities should facilitate and encourage public participation, inter-alia, by providing wide notification to the public of relevant policies, plans and activities, by making information widely available, and by receiving public views, including through the convening of open public fora.

(c) Environmental Impact Assessment

- For any proposed activity or any proposed major change to an activity which is likely to have a significant impact on the national environment and which is subject to a decision of a competent authority, an environmental impact assessment should be undertaken.

- As part of an environmental impact assessment, the public should be provided, for examination and comment, information about any proposed activity; about reasonable alternatives, where appropriate, including the alternative of no action; about the environment likely to be affected; about the likely environmental impacts of the proposed activity and its alternatives; about appropriate measure for mitigating adverse environmental impacts; and about uncertainties and gaps in knowledge.

- Individuals, groups and organizations should have the opportunity to transmit comments on proposed activities to the competent authority before the final decision is taken.

- A final decision should take into account the results of the environmental impact assessment as well as the comments received from the public and should be published promptly.

- States should provide an opportunity to the public in areas outside their territory to participate in relevant environmental impact assessment procedures regarding activities which are likely to have a

significant adverse transboundary impact on their local environment and should see to it that the opportunity provided to the public of the affected country is equivalent to that provided to their own public.

(d) Enforcement

- In matters related to the environment, states should provide access to administrative and judicial procedures for contesting decisions of competent authorities and private persons and entities that may be unlawful or may infringe on rights under the law. Such procedures should also provide appropriate remedies.

- In matters related to the environment, governments should extend access to administrative and judicial procedures to all groups and organizations with a recognized legal interest. States should also extend access in such matters to individuals, groups and organizations with a recognized legal interest who are outside their jurisdiction on an equivalent basis to those who are inside their jurisdiction.

III. UNCED PRINCIPLES SHOULD REFLECT THE CENTRAL ROLE THAT MARKET MECHANISMS PLAY TO ACHIEVE SUSTAINABLE DEVELOPMENT

-- Open and free markets at the national, regional and international levels are fundamental to the achievement of sustainable development. Market forces and mechanisms, and other economic instruments, including emission charges, tradeable permits, and reductions of subsidies, need to be harnessed to achieve sustainable development goals at each of these levels. To this end, environment and development objectives and policies should be integrated with economic and trade policies.

-- Polluters should bear the costs of pollution they cause, including the expenses and carrying out the necessary pollution prevention and control measures introduced by public authorities to protect the environment.

-- Markets should reflect full economic accounting of environmental costs and benefits.

U.S. STATEMENT OF POSITION

SURVEY OF EXISTING AGREEMENTS AND INSTRUMENTS,
AND CRITERIA FOR EVALUATION

(A/CONF.151/PC/77)

Mr. Chairman,

One of the principal tasks of this Working Group is to prepare an annotated list of existing international agreements and instruments in the environmental field, with detailed commentary. Another is to examine possible areas for the further development of international environmental law, with appropriate consideration of integration with development issues and the needs and concerns of developing countries.

The Secretariat has made a significant contribution to our work in its note on this topic. It has provided us with a detailed list of criteria and other considerations to take into account in evaluating the effectiveness and operation of these international agreements and instruments. It has also suggested general areas for examination before recommendations are made as to the further development of international law. The report of the Siena Forum will also be a useful source of background material for our work.

8/19/91

Because, however, the Secretariat's note was received with relatively little time before the beginning of this Preparatory Committee, we have not been able to examine the agreements listed in the text and evaluate them under the criteria listed. We believe this work is critical, and should be carried out in capitals, or by an ad hoc group of government experts following this session of the Prepcom. We therefore propose that governments undertake this task between this meeting and the next.

At the next Prepcom, governments may meet to compare their work, or the work of an ad hoc group, and begin the preparation of the annotated list called for in the terms of reference for Working Group III. This work, which will require close and careful deliberation by experts, should be initiated and carried out by interested governments. We do not believe that general criteria can be refined to such a point that evaluations can be made on a purely factual and objective basis without direct participation of governments.

We also have some suggestions for adding to the lists of agreements included in the Secretariat's note. The list it has provided of existing agreements is quite comprehensive, but we have a few specific additional suggestions, which we can propose at the appropriate time. Moreover, we believe it would

be helpful for the Secretariat to provide in the report of this session of the Prepcom, if possible, a catalogue of significant agreements covering shared natural resources in addition to those included in the note on transboundary watercourses. Because of their number, of course, this list could only be a representative sample. This addition to the list is important, however, because such agreements play an important role in the creation of international law, and are potentially useful models for situations in other regions.

The report of this meeting could also usefully include a list of ongoing negotiations of instruments and agreements in the field of the environment, as well as ongoing work in international bodies (such as UNEP, OECD, etc.), to create non-binding standards. A catalogue of ongoing negotiations will help considerably our task of identifying areas in which further development is necessary.

In addition, the potential usefulness of regional and bilateral agreements as models for other countries and regions is another area that should be considered by governments in evaluating the need for the further development of international law.

Finally, we need guidance from the other working groups as to which topics, issues or regions are currently in need of new agreements or instruments. A few come easily to mind. The United States notes that there is a great need for a framework convention on the conservation and sustainable use of forests. The problem of land-based sources of marine pollution is now under active consideration for further work. There are regional and international marine living resources in need of additional legal protection.

Mr. Chairman, a comprehensive look at existing international environmental law is a big task, but a fruitful one. It is necessary before we can evaluate where additional codification is necessary.

U.S. STATEMENT OF POSITION
ON HEXAGONALE COUNTRIES' PROPOSALS ON DISPUTE RESOLUTION
(A/CONF.151/PC/L.29 & A/CONF.151/PC/WG.III/L.1)

The peaceful settlement of disputes is a fundamental purpose of the UN Charter, and should be pursued by all states. The United States is strongly in favor of the development of international dispute settlement mechanisms, and we have studied the proposal of the Hexagonale countries carefully.

The U.S. view is that dispute resolution mechanisms should be incorporated into international agreements, and should be designed by the parties to the agreement to be responsive to the specific types of disputes that may arise under that agreement. The United States is not, however, in favor of the development of a single institution or mechanism for the settlement of all international disputes related to the environment.

The Hexagonale proposal on the "Settlement of International Disputes Concerning the Environment" seems to share this basic approach. The proposal describes various elements for consideration in the creation of dispute resolution mechanisms and calls for them to be incorporated in bi- or multi-lateral treaties. To the extent the proposal is general in nature, the United States can accept in principle the practical value of setting forth a compendium of dispute settlement procedures to which governments may refer when negotiating international agreements regarding the protection of the environment, and can support efforts by the Prepcom to draft such a reference document.

The Hexagonale proposal on the "Prevention of International Disputes Concerning the Environment" takes a different approach. It proposes that a convention be drafted under the auspices of UNEP to create a standing mechanism that could be invoked at any time by a state party where that state's "territory is likely to be impaired by transboundary environmental effects of activities or omissions on the territory of other States." The procedure would involve the appointment of an inquiry commission that would be empowered to gather facts, including through on-site inspections, and issue a report to be deposited with UNEP.

8/23/91

In the U.S. view, this procedure would not be necessary where there was no dispute between states. It is only when states are unable to reach agreement through discussions and the exchange of information that the resort to international mechanisms is necessary. We have difficulty imagining a situation where this procedure would be invoked where a state concerned with potential adverse environmental effects in its territory were satisfied with consultations undertaken with its neighbor.

The United States could support elements of this proposal as additional procedures to be set out under the Hexagonale proposal for settlement of international disputes. However, various aspects of the proposal raise significant questions needing further clarification, and would require careful consideration to be acceptable.

PREPARATORY COMMITTEE FOR THE 1992
UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT

STATEMENT BY THE U.S. DELEGATION ON INSTITUTIONAL ISSUES
Geneva, August 22, 1991
Working Group III, Agenda Item 5, Document 80

Introduction

Mr. Chairman, the United States believes that the time is overdue for drawing up plans for organizational arrangements to improve the UN's role in environmental and developmental matters. Discussions over the past few months in several separate forums, non-official as well as official, have disclosed wide agreement about the general dimensions of the institutional issues before us. In addition, a number of countries, the U.S. among them, have put forth some specific suggestions for achieving the desired institutional improvements. We also have before us, of course, the helpful outlines of issues and possibilities provided by the Secretariat in Document 80 for this session, and Document 36 for the last session.

Requirements

These extensive preliminary efforts lead to the conclusion that institutional improvements should consist of six principal elements:

- the initiation and operation of an intergovernmental process to guide the application or implementation of sustainable development in the UN system;
- the establishment of an effective interagency coordinating mechanism for all elements of the UN system involved with environment and/or development;
- the involvement in the coordinating effort of organizations associated with the UN system, especially international financial mechanisms or institutions such as the World Bank and other multilateral development banks;
- the inclusion of relevant non-governmental, private voluntary, scientific, and private-sector (especially business and industrial) organizations and interests in the process;

- the enhancement of existing agencies or organizations in the UN system, through strengthening and/or reform, as appropriate;
- the promotion of environment/development activities and programs with a regional or national focus.

These elements can and should be addressed in conformity with two broad guidelines:

- optimal use of existing institutions and organizational assets, and
- reliance on budgetary support derived from current or planned UN financial resources.

Building on the suggestions we put forth earlier (see document A/CONF.151/PC/WG III/L.4), and taking into account comments made in response to those suggestions, the United States now proposes to accomplish these purposes in the following ways. Successful application of these proposals, of course, would be based on the expectation that Governments act in a manner consistent with them in all the organizations and forums in which they participate -- especially in ensuring that the various UN specialized agencies and programs conform to system-wide coordination recommendations and decisions.

Summary of Proposals

The institutional adjustments we now suggest consist of four main measures:

- a possible combination of existing ECOSOC committees into a single intergovernmental committee to deal in a comprehensive way with the more political aspects of environment and development or sustainable development;
- an annual joint (or combined) UNDP-UNEP session on environment and development or sustainable development as part of the UNDP Council's agenda;
- a high level, effective coordinating mechanism for UN and related agencies and programs, co-chaired by the UNDP Administrator and the UNEP Executive Director;
- regionally and nationally focused efforts built around or based on the existing UNDP Roundtable/World Bank Consultative Group of donors and UN agencies.

Intergovernmental Deliberations

A two-fold intergovernmental process could be established to address environment and development or sustainable development concerns from the political and technical perspectives. Politically, a great deal of ongoing intergovernmental effort may be required to ensure the effective implementation of UNCED's outcomes, as embodied in Agenda 21 or otherwise. Comprehensive and coherent attention to the complete configuration of UNCED recommendations will be indispensable to the success of this endeavor. Much can be achieved in this regard through reports to and debates by the General Assembly, in accordance with an appropriate (perhaps biannual or quadrennial) schedule, as suggested by Resolution 44/228's description of the General Assembly as the appropriate political forum for discussion of international environmental policy. Indeed, in many aspects of ocean policy, a wide range of subjects is already regularly considered under the General Assembly item on the Law of the Sea -- a valuable process the principal features of which should be suitably preserved.

However, a forum for a more focused discussion may also be needed. In any case, a number of existing intergovernmental committees addressing closely related matters could be incorporated into the process of monitoring and reviewing the implementation of UNCED's results. In keeping with the guidelines mentioned earlier, no new intergovernmental bodies or processes should be set up, except by combining -- or transferring resources from -- existing bodies or processes judged to be of lower priority or lesser effectiveness.

In keeping with this approach, three existing UN committees seem to recommend themselves for close examination. The Committee on New and Renewable Sources of Energy, the Committee on Natural Resources, and the Committee on Science and Technology for Development might usefully be combined into a more comprehensive committee to deal with environment and development or sustainable development. Such an entity could serve as the forum for following and promoting the implementation of Agenda 21 and other outcomes of UNCED -- especially those pertaining to Governments. It could also provide the means for non-governmental groups (NGO's, PVO's, scientific, business, labor, etc.) to participate in the implementation of UNCED's results, perhaps along the lines worked out for NGO participation in the UNCED Preparatory Committee.

A separate but closely related intergovernmental process to address the more technical aspects of environment/development or sustainable development concerns can be readily implemented through the use of the existing governing bodies of the UN Environment Program and the UN Development Program. The annual UNDP Council meeting could include an environmental or sustainable development subset of its agenda, with the additional participation of UNEP Governing Council members who are not also members of the UNDP Council. This tightly focused joint (or combined) session of the two program councils could take appropriate action on sustainable development matters or environment/development issues for the UN system, subject to final review and approval by the relevant higher level organs of the UN.

Precisely what those organs are should be addressed as part of the larger UN reform process now in progress. We should not wait for conclusion of that process before we initiate organizational enhancements to the UN's environment and development interests and activities. We should try now to develop self-contained proposals capable of effective application to, or incorporation into, a number of possible larger reform schemes.

Interagency Coordination

An interagency coordinating mechanism to handle environment and development, or sustainable development, questions could be formed under the co-chairmanship, or other appropriate joint management arrangement, of the UNDP Administrator and the UNEP Executive Director. The coordinating mechanism would be modeled in part on the successful aspects of the earlier board set up to coordinate environmental activities, which was later merged with the Administrative Committee on Coordination (ACC), with appropriate additions to or deletions from that board's original functions. An additional model could be found in the current work of the Consultative Committee on Substantive Questions (Operational Activities), a subordinate body of the ACC, which handles the UN's involvement in development efforts.

The coordinating mechanism would most usefully be based in New York -- the UN's policy-making center -- and be made up of senior representatives from every UN entity with substantial environmentally or developmentally related activities. Perhaps the most important function of the coordinating mechanism would be to provide continuous liaison between UNEP and UNDP, as well as coordinating the major environmental and developmental efforts of other UN bodies. A principal goal would be to ensure the preparation and consideration of environmental impact assessments for all UN-related projects and development activities. Support for the coordinating mechanism could be provided by redirecting the resources now devoted to the Designated Officials on Environmental Matters (DOEM) and the Committee of International Development Institutions on the Environment (CIDIE), and by secondments of staff from each of the major agencies represented in the coordinating process.

Higher level monitoring or, if necessary, oversight, of the coordinating mechanism could be carried out by the Administrative Committee on Coordination (ACC), which is chaired by the Secretary General and currently tasked with coordination of environmental and developmental activities in the UN system. Subsequently, if experience so warrants, the coordinating process could be placed under the supervision of a designated (e.g. DIESA) or reassigned (e.g. DIEC) senior Secretariat official, who reports or would report directly to the Secretary General.

The coordinating mechanism would in the first instance ensure that UNDP's activities were in proper consonance with the requirements for sustainable development, and that UNEP was effectively supporting the effort. At the same time, the coordinating process would examine the environmentally and developmentally significant activities and plans of each UN agency, and recommend adjustments where appropriate. To ensure the effective operation of the coordinating mechanism, continued active attention by Governments would be essential. As members of each of the executive or governing bodies of the participating organizations, it would be incumbent upon Governments to see to it that those organizations cooperate and lend their full support to the process -- and, where necessary, modify their own programs and activities to conform to the guidance and direction which the process would provide.

Coordination with Financial Institutions

Representation and participation in the coordinating process on the part of associated organizations and institutions, especially the international financial institutions, is of critical importance. It is necessary to explore ways to involve the World Bank in the overall coordinating process, and in particular, to consider whether and how to link the Global Environment Facility to the coordinating mechanism. The GEF already includes UNDP and UNEP in a tripartite arrangement with the World Bank, so that a linkage to a mechanism co-chaired by the heads of UNEP and UNDP might be accomplished in a straightforward manner. However, the actual implementation of the linkage might best await completion of the GEF's pilot phase.

In any case, the World Bank must be a full and active participant in any effective process for coordinating international environment and development activities. Similarly, efforts should be made to bring in the private financial sector in some appropriate way, as well. Indications of some possibilities in this regard have recently emerged in the CIDIE context, for example, and these should be examined for their prospects and potential.

Non-Governmental Participation

Equally important to the success of the overall scheme for institutional enhancements and improvements is the inclusion of the non-governmental, scientific and private sectors in the process in appropriate ways. This could be achieved by inviting and permitting representatives of these organizations to contribute to the deliberations of the comprehensive committee on environment and development, as suggested above, and perhaps the annual joint UNDP-UNEP session on environment and development as well.

It may also be possible eventually to include them in some fashion in the UN interagency coordinating mechanism's process. Currently, UNEP invites rather broad NGO observation/participation in its Governing Council proceedings, and the International Council of Scientific Unions (ICSU) has active working relationships with UNESCO and WMO, while business and industrial groups have had and are now reactivating ties to UNIDO. These circumstances and arrangements, and others like them, should be further explored for possible use in helping to bring about involvement by these groups in the overall process.

Conclusion

Once this overall intergovernmental and interagency process is fully operational, experience gained from it could provide the basis for considering further organizational and institutional arrangements to improve international environmental and developmental efforts. However, the planning and preparation needed to get the process underway, as well as the gradually increasing momentum of related but disparate activities now in progress, argue for timely decisions soon about the directions to be taken. We can ill afford protracted delay without risking the loss of opportunities which now present themselves.

Agency Improvements

The enhancement of all existing agencies, organizations and programs of the UN system is a constant process which requires better attention in order to be successful. In the area(s) of environment and development, UNDP has an institutional improvement process already underway, and UNEP is embarking upon one. Efforts are needed to ensure that UNCED's outcomes are taken into account in these UNEP and UNDP processes, through attention on the part of the Governments which are members of the respective governing bodies, and through effective operation of the interagency coordinating mechanism. As the coordinating process develops, it will also be necessary to ensure that other participating agencies make appropriate modifications to their programs and activities.

Regional and National Levels

Environmental and developmental activities with a regional and national focus are increasingly at the center of programmatic concerns in UNEP and UNDP. Regional seas and regional lake/river basin programs are underway in UNEP, for example, and UNDP has begun to implement plans for a Sustainable Development Network. In addition, the already established UNDP Roundtable/World Bank Consultative Group provides a process which includes donors and UN agencies in efforts to coordinate development assistance to particular regional and national recipients.

These ongoing efforts can be further developed and exploited to achieve greater concentration of environmental and developmental undertakings at the regional and national levels -- especially in regard to the improvement of institutional capacities at these levels. UNDP field offices, UNEP regional offices, other regional and field offices of the UN system, and the UN regional economic commissions should also combine their skills and resources in support of sustainable development activities at regional and national levels. Either separately or in connection with this approach, UN staff -- especially at the field level -- should receive appropriate in-service training to ensure their maximum effectiveness in contributing to the effort. Some concrete, albeit informal, proposals along these lines have already been developed which merit appropriate formal consideration in time for decisions by Governments prior to UNCED, and/or approval by UNCED itself.

1992 UN CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT (UNCED)

I. Background

- The 1992 United Nations Conference on Environment and Development (UNCED) will mark the twentieth anniversary of the landmark Stockholm Conference on the Human Environment.
 - The Stockholm Conference issued a declaration of principles that continue to guide our approach to environmental protection today.
 - The U.S. was a primary sponsor of the Stockholm Conference and played a pivotal role in its success.
 - Many, especially NGOs, look to us to play the same role in UNCED.
- UNCED has a broad mandate to set the international environmental agenda into the next century and to develop means for integrating environmental objectives and economic development
 - It is to address the full range of specific environmental issues, as well as cross-cutting issues (e.g. access to information, legal mechanisms, technology transfer and financial assistance.
- It will be held in June, 1992 in Rio de Janeiro.
 - There will be four Preparatory Committee (PrepCom) sessions.
 - The Secretary General of the Conference is Maurice Strong (Canada) and the chairman of the Preparatory Committee is Ambassador Tommy Koh (Singapore).
- The PrepCom has three working groups:
 - Working Group I:
 - atmosphere (climate change, depletion of the ozone layer, transboundary air pollution)
 - land resources (deforestation, desertification, drought)
 - biological diversity
 - biotechnology
 - Working Group II:
 - oceans, seas and coastal areas, including their living resources
 - fresh water resources
 - wastes and toxic chemicals.
 - Working Group III:
 - legal and institutional issues

1992 UN CONFERENCE ON ENVIRONMENT
AND DEVELOPMENT (UNCED)

I. Background

- The 1992 United Nations Conference on Environment and Development (UNCED) will mark the twentieth anniversary of the landmark Stockholm Conference on the Human Environment.
 - The Stockholm Conference issued a declaration of principles that continue to guide our approach to environmental protection today.
 - The U.S. was a primary sponsor of the Stockholm Conference and played a pivotal role in its success.
 - Many, especially NGOs, look to us to play the same role in UNCED.
- UNCED has a broad mandate to set the international environmental agenda into the next century and to develop means for integrating environmental objectives and economic development
 - It is to address the full range of specific environmental issues, as well as cross-cutting issues (e.g. access to information, legal mechanisms, technology transfer and financial assistance.
- It will be held in June, 1992 in Rio de Janeiro.
 - There will be four Preparatory Committee (PrepCom) sessions.
 - The Secretary General of the Conference is Maurice Strong (Canada) and the chairman of the Preparatory Committee is Ambassador Tommy Koh (Singapore).
- The PrepCom has three working groups:
 - Working Group I:
 - atmosphere (climate change, depletion of the ozone layer, transboundary air pollution)
 - land resources (deforestation, desertification, drought)
 - biological diversity
 - biotechnology
 - Working Group II:
 - oceans, seas and coastal areas, including their living resources
 - fresh water resources
 - wastes and toxic chemicals.
 - Working Group III:
 - legal and institutional issues