

## **CSD 15 – closer to success than failure?**

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Was insult added to injury and an unnecessary precedent created at the closing of CSD<sup>1</sup> 15 when both the Chair's text was rejected and the proposed candidacy for the Chair of the next CSD contested? Or were Ministers and delegates playing out domestic policies on a global stage in need of a greater audience for their sometimes parochial agendas? Or did the substantive discussions held through CSD 15 reflect the contours of a changing political reality and the outline of a different paradigm?

A closer look at what ill-boded messengers of doom would like to call yet another UN calamity will reveal a CSD that still fulfils its mandate to a high degree, is both realistic and sometimes innovative in handling the complex thematic cluster. But it will also reveal a CSD that reflects to an uncanny degree both the daunting challenges the world faces in realising sustainable development as more than a nice theoretical paradigm and managing the future challenge of global warming and sustainable energy development.

Here is some of the background to CSD 15 and an analysis that points in a direction that belies the rumour of imminent disaster to sustainable development.

### **The irony in politics displayed in full.**

In the corridors, holding the inconclusive Chair's report on Friday evening, May the 11<sup>th</sup>, Ministers enjoying the appearance of being seen as action oriented politicians of the moment seemed to be sounding the death knell over CSD. The infamous "too little too late" seemed to reverberate in the catacombs-like corridors of the downstairs negotiating arena surrounding the famous Café Vienna at the UN. The Chair, Al-Attiyah of Qatar left early Friday evening for a waiting plane and handed over the chairing to his Vice-Chair, Mr. Figueiredo Machado of Brazil. Observing the Chair, some said he seemed exasperated, others that he looked relieved and content with the outcome.

The praise awarded to Sustainable Development<sup>2</sup> by close to 100 Ministers at the opening of the CSD Ministerial High level segment in the UN General Assembly commemorating its 20<sup>th</sup> anniversary on Wednesday, May 9, stood in sharp contrast to the CSD outcome now three days later, which was denounced by many of the same Ministers. Despite strong, inspiring and forward looking key notes on Wednesday by Gro Harlem Brundtland, former prime minister and head of the UN commission on sustainable development in 1987, and the new UN Secretary General Ban Ki Moon, short-sighted and conservative political interests seemed to have won the day.

The atmosphere in the Vienna Café on this Friday evening was rife with arguments about the ending of this CSD. Many were inclined to judge it as a failure. But would that make the work of the Commission on Sustainable Development a failure? Many experienced delegates were quick to make the distinction between CSD 15 and the ongoing work of CSD as a whole.

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<sup>1</sup> CSD, the Commission on Sustainable Development, a standing committee under the Economic and Social Council, charged with following up work on Agenda 21 and the Johannesburg Plan of Implementation, both dealing with global sustainable development.

<sup>2</sup> The concept and definition of 'sustainable development' is found in a UN report titled 'Our Common Future' launched at a conference hosted by IIED (the International Institute for Environment and Development) in London on April 23, 1987, and presented to the UN General Assembly later that same year.

Even Ministers in their closing arguments seemed adamant at pointing this out. Still, after the apparent CSD 15 debacle, was sustainable development as a global concept also threatened?

While the UN was busy commemorating the 20<sup>th</sup> anniversary of sustainable development, had some of the players who were already sceptical of intergovernmental systems been quietly scheming to rid the global agenda of sustainable development and good governance? The irony of the political spectacle should not be lost on anyone.

### **A tense farewell -**

An unusually difficult CSD 15, debating climate and energy, industrial development and atmospheric pollution was brought to an inconclusive end late this Friday at the UN in New York. The atmosphere was tense and the usual feeling of end-of-the-conference amicability was not present when negotiations closed. The Brazilian Vice-Chair, Mr. Machado, adjourned the meeting almost four hours on overtime after two weeks of intense negotiations, many behind closed doors in an effort to conceal serious regional conflicts and reach consensus language.

All seats were taken in Conference room 4 that evening, and delegates and civil society alike waited to receive the last version of the final text from the Chair, presented when it arrived as a 'take-it all or leave it'- report. But this was not an audience waiting for a happy ending; this was anticipation of a conflict in the making. Some blamed the problems on the Bureau and executive members of the secretariat for inept handling of a difficult process. And with obvious irritation and growing frustration of a CSD process many felt was going nowhere, delegates created perhaps an unwelcome precedent when the Chair's text was rejected in the final stages of negotiations. CSD has never ended in such an inconclusive way. A few delegates from G 77<sup>3</sup> /China felt offended by what they perceived as a rather aggressive tone in the EU statement. Minister Gabriel, the German environment minister said there was no way that the EU could accept the content in the proposed Chair's text. The same offended delegates obviously felt that insult was added to injury when both the EU and the USCANZ<sup>4</sup> group called for elections over the proposed Chair for CSD 16 in an effort to prevent Zimbabwe from becoming the CSD 16 Chair. But with a secret ballot ending in 26 for, 21 against with 3 abstentions and 3<sup>5</sup> conspicuously not present in the room to take the vote, many G 77 members felt vindicated and almost jubilant in having defied what some saw as the north's attempt to again rule the UN. But with only two votes above a majority, - (24 was the needed number) - the result is certainly no vote of resounding confidence for the new Chair. In a superficial way, the result could represent an almost traditional conflict between the North and the South. But the world is no longer embedded in the north-south divide of the 1970s and underneath the surface conflicts and irritation among traditional allies simmered.

### **A Bureau oblivious to global realities, or totally tuned in?**

Stakes were high. The last day of the IPM<sup>6</sup> in March this year should have sent ample warning both to delegates, the Bureau and the CSD secretariat that 15 would be difficult. Both representatives from the EU and from the Small Island States and a few other members of G-77 had criticised the IPM outcome report from being totally inadequate, being one-sided in

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<sup>3</sup> G-77, the largest informal block of nations cooperating at the UN, formed in Lima Peru in 1971 by 77 nations from the developing world, but now comprising close to 140 developing nations.

<sup>4</sup> USCANZ, another of the many informal 'blocks' of nations within the UN: the US, Canada, Australia, New Zealand.

<sup>5</sup> CSD consists of 53 nations with a rotating membership, all according to the mandate given by the General Assembly of the UN. For a full membership overview and mandate see the CSD website.

<sup>6</sup> IPM – the Intergovernmental Preparatory Meeting, members of the CSD meet one week in February/ March during the policy year of the CSD cycle to prepare for the CSD, which takes place two weeks in May.

praising the future necessity of a totally carbon dependant global economy and in no way reflecting the ‘richness of the CSD IPM debate’. And as if that was not enough, global public interest in global environmental issues had reached an all time high and expected governments both to address and take a lead in the fight against global warming. Added to this was and still is an acute awareness both politically and scientifically about global warming, energy dependency, energy security and energy as a political weapon. Russia had recently tested its role as a dominant gas supplier to the EU, and acquired some astonishing insights in using energy as political brokerage. There were a few newcomers on the political energy scene enjoying the spotlight as oil suppliers to an energy-thirsty world, countries not necessarily interested in pursuing a negotiated outcome favouring strong language on developing sustainably sound energy sources, and a diminishing global dependence on fossil fuels. And to top it all off, during CSD 15 the IPCC<sup>7</sup> would publish, yet another of their sober scientific reports spelling out beyond any doubt the connection between global warming and the use of fossil fuels – a connection many concluded would jeopardize the future stability of the world – socially, environmentally and economically.

The document given the delegates to negotiate ahead of CSD seemed to some, oblivious of all this, and many said a better-prepared document, more sensitive to the apparent difficulties inherent in the cluster themes could have secured a successful outcome. Then there were those who said the poor document was deliberately developed, was intended strategy and reflected a will by the oil-rich nations to derail the process by orchestrating an unacceptable outcome document. Too conspiratorial, some said. Still, with all the money and politics involved in a global economy largely fuelled by fossil energy, who knows? Take one example: despite all the rhetoric from the World Bank about developing sustainable energy projects, more than 80% of the bank’s energy funding still favours fossil fuel projects. Sending an inconclusive message from the CSD would allow ‘business as usual’ to reign.

### **CSD 15 - a pandemonium of unrelated political clamour?**

The ENB – the Earth negotiations Bulletin<sup>8</sup> – gives a comprehensive and insightful overview of all items that were discussed and lists also the many issues agreed upon. However, having heard and read some of the immediate comments emanating from both seasoned and veteran players at CSD including newcomers who easily fall prey to highfaluting criticism thinking this makes them appear savvy and earnest in their approach, one is almost bound to conclude CSD 15 was a pandemonium of unrelated political clamour expounded with high virtuoso by seasoned delegates for two weeks. If the serious critic is willing to take time and dive into the content resulting from three weeks of intense work, (the IPM included), a different and down to earth reality reveals itself. A plethora of items were discussed and many agreed upon under the four thematic clusters.

### **Consensus on energy issues**

ENB<sup>9</sup> writes the following on energy, perhaps the most difficult of the four items discussed: “Broad agreement was reached on the proposition that energy is crucial for sustainable development, poverty eradication and achieving the MDGs<sup>10</sup>. Access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services, particularly in developing countries, was highlighted. Negotiated language emphasized

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<sup>7</sup> IPCC, the Intergovernmental Panel on Climate Change, the UN body of some 2000 scientist preparing regular reports on changes in the global climate, publishing this year its fourth major report.

<sup>8</sup> ENB Vol. 5, No. 254, Monday May 14, 2007

<sup>9</sup> Ibid, page 7

<sup>10</sup> Millennium Development Goals

accelerated access to sustainable energy services to the poor, and for the eradication of poverty.

Delegates addressed and agreed broadly on various aspects of energy, including on the need to: improve energy efficiency and strive for cleaner technologies in the area of fossil fuels and renewable energy sources, such as hydro power, geothermal, wind, solar and bio-energy; diversify energy sources; phase out harmful subsidies; and promote investment to provide energy services.”

Using precedents set during CSD 12 and 13 that mandated CSD to revisit the issue of water and sanitation during CSD 16, the EU proposed a similar arrangement for energy for sustainable development. This proposal was pushed hard by the Major Groups<sup>11</sup>, and much to their satisfaction, delegates reached consensus on the EU proposal. The agreement is to follow up the issue of energy for sustainable development at the CSD sessions in 2010/11 and 2014/15. The issue of nuclear energy was finally by-passed and dropped, the question of a financing mechanism for developing sustainable energy sources not well treated, and the overall debate on the social and ethical consequences of bio-energy never seriously took off.

### **Consensus on air pollution.**

As with the other themes, the discussions on air pollution covered a large tapestry of problems, with a deep willingness to solve these issues. An integrated approach was suggested to tackle the problems of air pollution, both outdoor and indoor, and its environmental, economic and social consequences. Consensus was found on integrating mitigation into national development planning, information dissemination, replication of best practices, acceleration of transition from biomass to cleaner energy, and to cleaner fuels and vehicles. In that context both exporting and importing countries seemed close to agreement on a text on the export of second-hand and polluting technology, including vehicles, and its relation to local emissions standards. The G-77/China suggested the proviso of meeting norms of the importing countries and a text was developed to improve inspection for all vehicles. As was expected, indoor air pollution from traditional biomass cooking was singled out as a significant poverty-related issue, impacting on the health of women and children in developing countries. This was also an item strongly pushed by a majority of the Major Groups.

The establishment of country and regional air quality standards and norms caused concern for many developing countries. The EU had proposed introducing WHO global air quality guidelines, but G-77 found these standards too harsh, and the slight conundrum was solved in a UN typical manner by simply stating “taking into account WHO guidelines as appropriate”. Further as appropriate, international monitoring programmes, initiatives and partnerships, as well as the sharing, on a voluntary basis, of regional and sub-regional experiences addressing transboundary air pollution was agreed. Inviting donors to continue to provide financial resources during the next replenishment of the Multilateral Fund under the Montreal Protocol, supporting developing countries in cases of significant amounts of naturally occurring air pollution, particularly dust, sandstorms, smoke from forest fires and volcanic ash was also agreed upon.

### **Consensus on climate change.**

The issue of climate change held fertile ground for disagreement, some of a surprising nature, as some delegates still questioned the scientific facts behind the IPCC reports. Still broad agreement was reached on the need to highlight the importance of the climate challenge. The

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<sup>11</sup> The Major Groups are, as stipulated by Agenda 21: Women, Children and Youth, Indigenous Peoples, Farmers, NGOs, Trade Unions, Science and Technology, Local Authorities, Business and Industry.

delegates agreed to defer the more specific discussion to the UNFCCC<sup>12</sup> process, and emphasised the need to prioritize SIDS<sup>13</sup>, LDCs<sup>14</sup> and LLDCs<sup>15</sup>.

As was expected, discussion ran well into the night on several issues related to post Kyoto<sup>16</sup> issues. EU wanted strong language in this context, but the G-77/China cautioned against allowing the reference to post-2012 action to overshadow the discussions at CSD. When the USCANs group, with Australia, Canada, Japan and the US emphasized the primacy of UNFCCC processes in dealing with climate change, the EU eventually agreed to drop its initial strong reference to the post Kyoto issue. Another issue that caused a long debate was the importance attached to the scientific facts in the IPCC report. Again a compromise was reached, and a general reference to recent IPCC findings was accepted while using the term 'very likely' in relation to the anthropogenic nature of climate change.

The ENB describes segments of the debate in a laconic manner: "Palau opposed and the G-77/China reserved comment on carbon capture and storage technology. Japan introduced text requiring consideration of environmental impacts. The EU sought a reference to environmental safety, as well as the development of such technology within the necessary technical, economic and regulatory framework. Agreement emerged among the developed countries on a reference to environmentally sound technology<sup>17</sup>."

### **Consensus on Industrial Development.**

This chapter offered even the veteran delegate many worries on text, and in many cases little new was added to a theme for which integrating sustainable development is a huge challenge. The Chair, in an effort to broker a compromise in the text he distributed Friday May 11<sup>th</sup>, touched on many issues where the delegates were close to agreement. His introductory paragraph on industrial development seems to comprise most of what was agreed in principle regarding industrial development and reads:

"Industrial development should be addressed within the context of sustainable development and the Rio Declaration and implementation of JPOI and is crucial for economic growth, eradicating poverty and employment creation, as well as the achievement of internationally agreed development goals, including the Millennium Development Goals. Managing the natural resources base in a sustainable and integrated manner is essential for sustainable development. Increasing resource use and efficiency and enhancing technological innovation offer opportunities to reduce costs, increase competitiveness and employment as well as delink economic growth and environmental degradation. In this regard, the role of business and industry is important. International financing and technology cooperation and transfer are important to developing countries and their business and industries to facilitate adoption of cleaner, more efficient technologies. Industrial development is closely linked to the further integration of developing countries and countries with economies in transition into the global economy."<sup>18</sup>

### **Consensus on inter-linkages and crosscutting issues.**

Every CSD is charged with dealing with the so-called crosscutting cluster of themes, and every CSD seems to act as if these themes are dealt with elsewhere. Delegates are aware of the themes, and if the texts are studied in more detail, it is obvious that many of the

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<sup>12</sup> United Nations Framework Convention on Climate Change.

<sup>13</sup> Small Island Development States, a group of island nation states within the UN membership of nations.

<sup>14</sup> Least Developed Countries – see UNDP for overview.

<sup>15</sup> Land Locked Developed Countries – see UNDP for overview.

<sup>16</sup> The Kyoto protocol, the operative protocol to implement the UNFCCC, to be renegotiated in 2012,

<sup>17</sup> ENB vol. 5, page 9

<sup>18</sup> From the suggested Chair's text handed the delegates of CSD on May 11, late afternoon, § 18.

crosscutting themes are integrated into the more specific cluster themes. In addition it could be said that this section is also meant to promote coordinated efforts across the four thematic areas, and discussions under this heading focused on actions to be taken. Still many issues were regarded as contentious, and disagreements were many.

There was a general, and to many a declamatory agreement on the need for inter-linked and crosscutting issues to be dealt with by regional and sub-regional partnerships, incorporating lessons-sharing and best practices. The G-77/China included text on the goal of universal primary education that seemed to be approved by all, and when the EU again called for the more efficient use of natural resources, this suggestion seemed to have been unopposed.

### **Energy – a politically charged issue**

Despite the many areas of agreement, disagreements abounded, and the contentious issues were frequent.

The obvious major disagreements concerned the future energy supply of this world, how the energy issue should be linked to global warming and whether global warming should be taken seriously or not, and how sustainable development should be integrated into development. The less obvious conflicts were to what extent developing nations should be given continued concessions on not having to meet environmental standards in favour of economic growth.

Veteran delegates of both the CSDs and the COPs<sup>19</sup> quietly said that short-sighted interests expounding the necessity of pumping up oil, excavating coal and continuing to base the global economy on fossil fuels were arguments that had carried the day in most disagreements. A frightening lack of understanding, or an uncanny unwillingness to understand or accept the scientific facts contained in the last IPCC report, were revealed time and again among Ministers and delegates.

Without pointing an accusatory finger against any one in particular, many made the observation that a majority of representatives from the oil rich nations displayed a hostile view of the sober, but sinister message contained in the IPCC reports. These nations and their views, in total a minority within the G-77, nevertheless dominated the discussions in what should be a formidable bloc of developing nations. Opposing these arguments within the G-77, was the SIDS group, (the Small Island States), literally sinking in the oceans as the global sea level is slowly rising, one of the many already observed consequences of global warming. Informally, many delegates from these island nations expressed exasperation over what was referred to as ‘the oil and coal nations’ from the north and south and their callous and inhuman interest in acquiring monetary gains in the shortest possible time’. That the SIDS group does not break ranks with the G-77 in such matters seems incomprehensible to the outside observer. But such a political move is still anathema to members of G-77. What makes the intransigent attitude of the large energy producing nations from north and south even more incomprehensible was their unwillingness to explore wholeheartedly and invest in new types of energy, other than nuclear. Even when the text called for research funds to do research on sustainable energy sources for the future, the carbon ideologues won the day, and managed to dilute well-intended language on a sustainable future for the global energy supply.

A small victory was the agreement to revisit the energy issue in 2010. We can only hope that attitudes and political realities have changed in favour of sustainable energy by that time.

### **Was the rejection of the Chair’s text unnecessary?**

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<sup>19</sup> COPs – Conference of Parties, the conferences designed to follow up, monitor and develop work around the major UN conventions, such as the UNFCCC, the UN Framework Convention on Biodiversity, UNFICBD, the UN Framework Convention on Desertification, UNFCD.

ENB reflects what many said at the end of CSD when it writes: “Given these leadership and process issues, coupled with the complex nature of negotiations and the widely divergent expectations at CSD-15, the lack of consensus is no surprise. What is surprising is the fact that the EU was steadfast in pursuit of its ambitious agenda. In the end their ambition derailed the outcome document. They wanted more, much more, than the CSD could deliver, or was perhaps even designed to deliver. If there is a moment for introspection it is this.<sup>20</sup>”

There is another way to look at this as well. Global public interest in global warming and environmental issues has reached an all time high and is still growing. Senior politicians, respected researchers and the major news media have picked up on the issue, and a politician claiming to work on the environment in the industrial world not sensitive to these issues will not survive today as a politician. The EU has become one of the major protagonists on greening politics in the world.

Germany, at present holding the presidency of the EU and being host to the G-8 in June, pushing hard for a new energy-climate paradigm to be accepted there, has taken a global lead on issues relating to climate change and sustainable energy. Germany and the EU have also committed to an ambitious time line on reducing their CO2 emissions and developing energy systems based on renewable resources. As such, the German Environment Minister had no choice but to reject the Chair’s text as it was presented to the CSD.

Many representatives from the ‘oil and coal nations’ claimed that the EU and her delegates were only responding to their national constituencies. They felt that European and other Ministers could huff and puff at not getting their will through on issues, and feel justified in sending a strong message to other nations during debates. But responding to regional political priorities or pushing other nations on the same issues and not succeeding in such a crusade should not allow them to reject the Chair’s final report, they said.

Besides as some quietly observed in well-oiled arguments over a cappuccino in the smoke filled Vienna Café, pushing a regional agenda in a global forum like CSD, is misusing the UN. No strong message on this issue had come from the UN ECE CSD Regional Implementation Meeting, the RIM, held two years ago in Geneva, they mused. They perhaps omitted to say that the RIM is not an EU meeting, but a meeting of all developed nations, including some fossil fuelled heavy-weights.

The EU speaks officially with one voice, and this strong industrial bloc of nations, all agreed in the end to reject the Chair’s text. But there is no secret that some of the EU nations wanted to take a more compromising approach to the text. Had the EU been slightly more conciliatory and acted a bit differently at the end, CSD might have ended up with a consensus document that could have given the UN a stronger direction into the field of sustainable energy in the future.

So, the present outcome dictates patience on the energy issue at CSD until 2010. But as many a representative from civil society worriedly expressed, time is not on our side, we cannot wait, we have to act now to halt global warming. They said that the critical approach by a few Ministers who spoke for a sustainable energy future and fighting climate change were doing the only right thing as well as trying to enlighten ministerial colleagues to an ominous predicament in which the world is at the moment.

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<sup>20</sup> ENB, vol 5, no 254, page 12

As CSD went into its second week of deliberations, the preparatory meeting on climate issues started up in Bonn, in preparation for COP 13 of the Kyoto-protocol to be held in Bali in December. In Bonn and at the G8 deliberations in June, the EU repeated their strong demands on reducing CO<sub>2</sub> emissions and the need to take global warming seriously. The onus is now placed on the shoulders of all delegates in Bali in December to make the world take global warming and a sustainable energy future seriously. Perhaps the dramatic ending at CSD 15 in fact sent a note of urgency to these delegates readying themselves to take global issues on climate change to a higher level, closer to new implementation regimes. Perhaps therefore the inconclusive end at CSD may have been a blessing in disguise.

### **Stronger stands on the environment-economy nexus?**

There is much more between heaven and earth than meets the eye, and this may also be the case with CSD 15. There is a consistency to the views that causes disagreement at CSD 15 between G-77 and China and the developed world: the developed north appears less willing than before to accept different standards on environmental issues and unwilling to allow the developing world concessions to build their economy before tackling environmental degradation and national, regional and global pollution. When countries like India argued that air pollution standards should not be universal and questioned the necessity of abiding by the WHO<sup>21</sup> standards on clean air, many delegates raised their voices in disbelief at what they heard.

The question of sustainable patterns of production and consumption is extremely difficult, and was singled out by Agenda 21 in 1992 as a particular concern for industrialised countries. Consumption today, 15 years later, is on the increase in most countries in the world. There is a growing middle class in many countries in the G-77 camp, a healthy sign of economic development, according to IMF/ World Bank statistics. Similar statistics show a strong and economically expanding middle class on the move in material well-being in the same countries. No one is against improved living standards for people in this world, and some of the more populous countries within G 77 are beginning to have a middle class, almost equal in size and with a similar consumption patterns and purchasing power as the so-called rich world. Set against this background many seasoned delegates found it realistic to include all countries in the world when the issue of consumption and production came up. The G-77/China objected to the reference 'to all countries' and proposed emphasizing again the special needs of developing countries. In one instance delegates found compromise language and agreed on referring to 'all countries with developed countries taking the lead on consumption and production matters'.

The G-77/China also emphasized the imperative of economic growth for developing countries, listed the factors constraining their industrialization and submitted policy options to improve their situation. In this context G-77/China noted the need to reflect the importance of industrial development to poverty alleviation, and suggested deleting the reference to the role of sustainable use of natural resources in reducing costs, increasing competitiveness and employment, as well as reducing environmental degradation. They also asked to separate the industrial development and the natural resource management concerns. Many senior delegates sought to separate the issue of poverty alleviation from what some deemed 'unbridled industrial expansion' in certain developing countries. They said they favour combating poverty at all levels, but also to ensure environmentally sound surroundings. Disagreement

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<sup>21</sup> the World Health Organisation.

over integrating the principles of sustainable development in implementation plans seemed to be dividing the delegates in this year when CSD tried to commemorate its 20<sup>th</sup> anniversary.

While G-77 and China early in CSD 15 had highlighted the Rio principle of common but differentiated responsibilities, one of the Rio principles<sup>22</sup>, the same group strongly referred to Principle 2 of the Rio Declaration on states' sovereign rights to exploit their own resources. The G-77/China highlighted the rights of each country to decide their own industrial development, environmental protection and environmental management strategies. A number of developed nations highlighted instead the responsibility of states to ensure that activities within their jurisdiction and control should not cause damage to the environment of other states or to areas beyond the limits of national jurisdiction. The discussion on the issue ended in an inconclusive statement.

G-77 and China opposed reference to good governance and on any conditionality being placed on national policy-making. They opposed reference to life-cycle analysis, eco-design and green procurement, and expressed concern over eco-labelling citing its restrictions on trade. Retaliating against these stands came the developed world's refusal to include a reference to the 0.7% ODA target and a reference to a review on TRIPs<sup>23</sup>.

The overarching commitment to all out poverty alleviation programmes was repeated time and again by all speakers. But fewer and fewer delegates from the developed nations seemed willing to allow developing nations to develop their economies first and then tackle environmental problems later. They seemed to say – we can and should do both and do it simultaneously. No more concessions should be given to allowing unregulated economic growth take priority over balanced sustainable development. These attitudes were propounded, at least informally, by several delegates from the so-called 'donor countries'. Some observers saw this as the beginning of a new approach in development assistance as well. Were we witnessing vague expressions of a new development approach – or even the contours of a new paradigm? What seemed ominous to some was the downright negation expressed by many of the principle of sustainable development and the unwillingness in this context to discuss politics leading to implementation.

To an extent a tug of war of words was played out between economic and environmental interests. The more compromise minded delegates said many developing nations were ready to do both, but needed 'tech transfer' and financial support to implement sustainable development. Implementation of the Bali Plan of Action<sup>24</sup> would help a long way to accomplish this. And on that issue, a majority seemed to agree. At least in the corridors.

### **Dark Clouds over CSD.**

A rejection of the Chair's text, the demand of a secret ballot to establish the semblance of legitimacy for the proposed Chair of CSD 16, only to be followed by heavy criticism of the Chair's representativity and credibility because he represents Zimbabwe, made a strong impression on people in Conference room 4 at the UN the last evening of CSD 15. It

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<sup>22</sup> UNCED – the UN Conference on Environment and Development, held in Rio de Janeiro in 1992, adopted Agenda 21 as the blueprint plan for a sustainable 21<sup>st</sup> century, which opens with stating a number of 'principles on sustainable development' known as the Rio Principles.

<sup>23</sup> TRIPS is the agreement on Trade-Related Aspects of Intellectual Property Rights and is Annex 1C of the Marrakech Agreement Establishing the World Trade Organisation, signed in Marrakech, Morocco on April 15, 1994.

<sup>24</sup> The UNEP Bali Strategic Plan for Technology Support and Capacity-building adopted by the High-level Open-ended Intergovernmental Working Group on an Intergovernmental Strategic Plan for Technology Support and Capacity-building at its third session, in Bali, Indonesia, on 4 December 2004.

obviously inspired many CSD players to wonder about the future of this institution. And these speculations did not abate when an unconfirmed story gave the reason for the choice of country to lead the next CSD: that the choice was made more than three weeks earlier within the OAU<sup>25</sup>, and made while Sudan had the chairmanship of OAU with the motive of making it difficult for the UN to function anywhere.

The NGO daily newsletter had the following comment on the election of the new Chair:

“Leadership within the UN must inspire. Too many times nations have usurped leadership positions within the UN to promote short-term goals. During the Cold War, the superpowers showed an insouciant and callous disrespect for the ideals of the UN, and used leadership positions to promote their own short-term goals. It is sad to see that this practice is now being adopted by smaller nations as well.

“Leadership under the mantle of the United Nations is not leadership for a country or for a region; it is not leadership where regions have a right to say they choose on behalf of the global UN; it is leadership that should inspire the peoples of the world and guide their hopes and aspirations. This is the heavy burden that the offices of the Secretary Generals must sustain.

“Chairmanship in standing committees, programmes, even chairing meetings at the UN, must abide by the same standards. Not to understand or accept this is to erode the credibility of both the UN global moral standards and our own work.

“The Canadian Professor M. Ignatieff writes: ‘The double sense in which democracies stand against violence is: positively, they seek to create free institutions where public policy is decided freely, rather than by fear and coercion; negatively, they seek to reduce to a minimum, the coercion and violence necessary to the maintenance of order among free peoples.’”<sup>26</sup>

Many speculated on how the Chair from Zimbabwe would manage to represent such principles.

### **In compliance with the CSD mandate?**

Over the weekend following the end of CSD 15, many have proclaimed CSD a failure. ENB writes: “The quick demise of the Chair’s last-minute take it or leave text was significant. As one observer noted, moving forward to the third cycle on agriculture, Africa and other land-related issues is like rearranging the deck chairs on the Titanic. The fractious outcomes of CSD-13 did not bode well for the second cycle, and CSD-15s failure to produce a negotiated outcome has been a blow to the legitimacy and thus the future of the process.”<sup>27</sup> This is harsh judgment, but does it reveal the whole political spectacle of what went on? And does it speak the truth about the future of CSD?

When delegates and Ministers say CSD is a waste of time, they seem forget that they are the actors, the principal players and those who actually waste each other’s time.

Many critical voices have been raised against the Bureau and the executive body of the CSD Secretariat. Past experiences have shown that a strong chair, a proactive Bureau, and a savvy secretariat can drive the process forward. Still, allegedly savvy or not, they would not be able to surmount substantive political differences – and this CSD was riddled with these. But again – does that make the process a failure?

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<sup>25</sup> Organisation of African Unity

<sup>26</sup> Michael Ignatieff: “The lesser evil, political ethics in an age of terror”, Edinburgh University Press, 2005, p.15

<sup>27</sup> ENB Vol. 5, no 254, page 12

The mandate of CSD, is set out in Resolution 47/191 adopted by the General Assembly (GA) of the UN called “Institutional arrangements to follow up the United Nations Conference on Environment and Development” adopted by the GA of the UN at its forty-seventh session in 1993 prescribes a number of assignments to be carried out by the players at the CSD sessions<sup>28</sup>. Paragraph three of the resolution reads as follows:

“§3. Recommends that the Commission have the following functions, as agreed in paragraphs 38.13, 33.13 and 33.21 of Agenda 21:

- (a) To monitor progress in the implementation of Agenda 21 and activities related to the integration of environmental and developmental goals throughout the United Nations system through analysis and evaluation of reports from all relevant organs, organizations, programmes and institutions of the United Nations system dealing with various issues of environment and development, including those related to finance; ...”

The CSD secretariat has formulated what it calls the mandate of the CSD based on this resolution and also taken into account what was decided at the Johannesburg Summit in 2002:

to review progress

to elaborate policy guidance and options for future activities to follow up the JPOI and achieve sustainable development

to promote dialogue and build partnerships for sustainable development with governments, the international community and the major groups

Further, CSD should work for a:

- Renewed emphasis on integration of the three dimensions of sustainable development in a balanced way
- Focus on reviewing and monitoring progress in the implementation through a broad exchange of views and experiences, best practice and lessons learned
- Enhanced linkages between global, regional and national endeavours
- Integrated process that enhances coherence between the implementation of Agenda 21, initiatives and partnerships
- Greater involvement at the regional level
- Opportunity to look at new challenges and opportunities in the context of implementation
- Innovative methods of work
- Broader participation of all stakeholders, particularly UN agencies/international financial institutions and the Major Groups
- Greater consideration to scientific contributions
- Contributions of educators
- Focus on a limited number of issues
- Negotiations once every two years

Considering the outcome of the present cycle, CSD 14 And 15, it has accomplished almost all of the above. A few delegates pointed to a few weak spots saying that enhancing links between global, regional and national endeavours are still not a success. Having downgraded

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<sup>28</sup> Quoted from the CSD mandate, at the UN CSD website for accurate and complete reference.

the importance of the national reports was cited as an example of this. They also claimed that improvements could be had on greater involvement at the regional level stating that the Regional Implementation Meetings, the RIMs, were un-even at best, inconsequential at worst, and they also said that CSD could not be called a workshop seething with innovative methods. They also had a clear impression that this CSD had given fewer opportunities for all players at CSD to integrate their efforts in the overall outcome. The Chair had at times not appeared sympathetic to the Major Groups, though the situation had improved towards the end of this CSD. And the above are points for improvements. But with no negotiated consensus document coming from CSD 15, how are we going to judge the time and energy invested in these last two years of CSD trying to come to grips with Energy for Sustainable Development, Climate Change, Atmospheric Pollution and Atmosphere, Industrial Development?

### **This CSD: Oil and coal against sustainable development.**

Wherein lies the failure of CSD 15? Perhaps we all suffer at times from having a short memory, and a short span on our analysis. It is easy to allow the drama of the last few hours of CSD 15 to overshadow its overall accomplishments in regard to its mandate. Commenting on CSD 15, ENB states that: “In addition to locating current environmental challenges such as climate change squarely within the context of sustainable development, thereby allowing developing countries the space to explore the environmental co-benefits of enlightened development, the CSD can help construct a confidence-building architecture that will then facilitate negotiations in treaty bodies.”<sup>29</sup>

This was a CSD that was many things and revealed many things. CSD 15, with its challenging cluster themes had exposed new political realities. The world of the 1970s when developed nations often stood against developing nations had faded, and brought into focus a new schism: the oil and coal nations of the north and south against those in the north and south with an agenda committed to implementing sustainable development. This CSD also exposed a world that was clearly at odds with itself: hard indisputable scientific facts showing an untenable energy and atmospheric situation with increased climate instability and depletion of finite resources was pitted against an incomprehensibly short sighted political agenda citing a continued production necessity of fossil fuels to sustain economic stability of the developed nations and improved social situations for the world’s poor. At times, debates throughout CSD 14 and 15 also seemed to have brought political hypocrisy to new levels of professionalism: idealistically professed aims to end global poverty seemed to be used to conceal a political desire for unbridled industrial expansion and a callous interest to expand already expanding economies.

It was also a CSD that demonstrated at times the intolerance of the fossil fuel heavyweights against a civil society pushing hard for a different energy and climate future, with civil society feeling exonerated in its fight because it had the scientific facts on their side. This as much as anything contributed to a feeling of a CSD gone bad.

But does this signal the end of the CSD process, the end of sustainable development? In its final analysis of this CSD, ENB quotes a veteran CSD player as saying<sup>30</sup> “CSD is important, even if we are failing”. But ENB also lets him say: “CSD is relevant because it is a place where we try to get to grips with sustainable development.” But there is more in the final ENB analysis: “What does the future hold for the Commission? Is the CSD still relevant? If it is relevant, what is its area of comparative advantage? ... Perhaps what is clear

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<sup>29</sup> Ibid, p 12.

<sup>30</sup> ENB, Monday May 14, Vol 5, no 254, p 12.

is that establishing a common discourse and clear policy path for the implementation of substantive measures on sustainable development is still a distant goal...<sup>31</sup>”

If nothing else, this CSD demonstrated that sustainable development is important, difficult to implement, challenges old political and economic paradigms, has its opponents, but still remains an urgent global goal to secure human wellbeing. And because of that, CSD is still needed, in the foreseeable future, perhaps more than ever before.

### **Now what?**

A final end note from ENB on CSD’s future states that: “Perhaps the lesson learned from CSD-15 will manage expectations for the future, but the question remains whether this realism will result in substantive versus symbolic change to the CSD process.

“Hard thinking is lurking in the background. At a side event, six former CSD Chairs recommended reviewing the future and role of the CSD in order to strengthen sustainable development governance within the UN system, and establishing a stocktaking process of the first and second cycles.<sup>32</sup>”

Do we need hard thinking on CSD? Yes, we do.

Do we need constructive and innovative thinking on how to upgrade and improve CSD? Yes, we do.

Do we need to educate the delegates on sustainable development? Absolutely -- and this is no facetious comment, as many of the delegates are either permanent residents from their missions in New York or representatives of their Foreign Offices, neither of which necessarily possess in-depth or expert knowledge on sustainable development.

But is this a time to discard CSD because its debate truly reflected the vast political difficulties inherent in realising sustainable development in the context of issues that obviously will decide the future of the world? Absolutely not.

That would be contrary to the spirit of the UN, contrary to the spirit of our hopes and endeavours and nullifying 20 years of work for sustainable development. And that is certainly not the legacy we would like to leave behind for our grandchildren. Is it?

...jgs

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### **Jan-Gustav Strandenaes:**

Educated at the Universities of Oslo, Norway and Uppsala, Sweden and at St. Olaf College in Minnesota, the US, in modern history, literature, environmental sciences and development issues, **Jan-Gustav Strandenaes** had his debut with the UN and the environment in the 1970s through the Stockholm Conference for Environment in 1972 and he has stayed with this arena ever since. After having worked on disseminating information on UN issues during the 80s and early 90s, he has followed and worked with the CSD process (UN Commission for Sustainable Development) diligently every year since 1997, when he that year worked as a liaison officer between the UN and the NGO community at the UN headquarters in New York. After his first assignments for the UN in Latin America in the 70’s, Jan-Gustav has worked and lived in Botswana, Uganda, the US and Sweden in addition to Norway; he has extensive NGO experience developed through three decades in almost all continents in the world. He has lectured at the University of Oslo, and given workshops and guest lectures all over the world on governance, the environment and sustainability issues, evaluated projects and organisations, advised governments on relations with civil society, chaired UN meetings and facilitated UN processes and authored two books and numerous articles on the environment. For the past 10 years has been, and still is, the senior editor for a conference newsletter on environment and sustainable development, and comments regularly on sustainability issues while observing and writing on political behaviour. He is presently the UN CSD NGO Global Coordinator coordinating NGO input into the UN CSD process as well as serving on a global civil society committee for UNEP on civil society policy issues for that organisation. While operating as a free-lance adviser, Jan-Gustav is part time employed by a Dutch-based, EU funded international NGO called ANPED (The Northern Alliance for Sustainability)

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<sup>31</sup> Ibid, p 12.

<sup>32</sup> Ibid, p 12.

headquartered in Amsterdam as their Senior Policy Adviser, but works out of his home outside Oslo, Norway, when he is not travelling the world, lecturing or otherwise working abroad on environment, governance and sustainability issues.