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Mountain knowledge solutions to
strengthen the water, energy, and
food security nexus

a multi-stakeholder
magazine on
climate change
and sustainable
development

outreach.

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RIO+20
United Nations
Conference on
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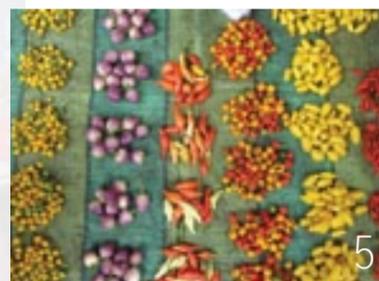
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pic: Vicki DeLoach

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pic: Clara and James

Rights at risk at the United Nations

Open Letter to the Secretary General for the United Nations Conference on Sustainable Development (UNCSD),
Co-Chairs of the Bureau for Rio+20 and Member-States of the United Nations

We - the civil society organizations and social movements who have responded to the call of the United Nations General Assembly to participate in the Rio+20 process - feel that is our duty to call the attention of relevant authorities and citizens of the world to a situation that severely threatens the rights of all people and undermines the relevance of the United Nations.

Remarkably, we are witnessing an attempt by certain countries to weaken, or “bracket” or outright eliminate nearly all references to human rights obligations and equity principles in the text, “The Future We Want”, for the outcome of Rio+20.

This includes references to the right to food and proper nutrition, the right to safe and clean drinking water and sanitation, the right to development, and others. The right to a clean and healthy environment, which is essential to the realization of fundamental human rights, remains weak in the text. Even principles previously agreed upon in Rio in 1992 are being bracketed – the Polluter Pays Principle, Precautionary Principle, Common But Differentiated Responsibility (CBDR).

Many member states are opposing prescriptive language that commits governments to actually do what they claim to support in principle and act as duty bearers of human rights, including the provision of finance, technology and other means of implementation to support sustainable development effort in developing countries. On the other hand, there is a strong push for private sector investments and initiatives to fill in the gap left by the public sector. This risks privatizing and commoditizing common goods – such as water – which in turn endangers access and affordability, which are fundamental to such rights.

Although economic tools are essential to implement the decisions aiming for sustainability, social justice and peace, a private economy rationale should not prevail

over the fulfillment of human needs and the respect of planetary boundaries. Therefore strong institutional frameworks and regulation are needed. Weakly regulated markets have already proven to be a threat, not only to people and nature, but to economies and nation states themselves. Markets must work for people, people should not work for markets.

From the ashes of World War II, humanity gathered to build institutions aiming to build peace and prosperity for all, avoiding further suffering and destruction. The Universal Declaration of Human Rights spells out this collective will, and the United Nations organization was created to make it a reality. Alarming, this very institution is now being used as a platform to attack the very rights it should safeguard, leaving people without defense and putting the very relevance of the UN at stake.

We urge member states to bring the Rio+20 negotiations back on track to deliver the people’s legitimate agenda and the realization of rights, democracy and sustainability, as well as respect for transparency, accountability and non-regression on progress made.

We call on the UN Secretary General to stand up for the legacy of the United Nations by ensuring that Rio+20 builds on the multi-generational effort to strengthen rights as the foundation of peace and prosperity.

We urge our fellow citizens of the world to stand up for the future we want, and let their voices be heard. To that end the Rio+20 process should be improved by adopting the proposals we submit below.

On Greater participation for MGs

We are concerned by the continuing exclusion of Major Groups from the formal negotiating process of the Rio+20 zero draft. Unlike in the Preparatory Committee Meetings and the Intersessional Meetings, Major Groups and other Stakeholders have not been allowed to present revisions or make statements on the floor of the meeting. Nor, we suspect, will we be allowed to make submissions or participate fully in the working negotiation group meetings that are likely to follow. Despite the UN DESA having compiled a text that shows all the revisions suggested by Major Groups, these revisions to the zero draft have so far not been included in the official negotiating text.

(Continued Page 2)

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About Stakeholder Forum

Stakeholder Forum is an international organisation working to advance sustainable development and promote democracy at a global level. Our work aims to enhance open, accountable and participatory international decision-making on sustainable development through enhancing the involvement of stakeholders in intergovernmental processes. For more information, visit: www.stakeholderforum.org

Outreach is a multi-stakeholder publication on climate change and sustainable development. It is the longest continually produced stakeholder magazine in the sustainable development arena, published at various international meetings on the environment; including the UNCSD meetings (since 1997), UNEP Governing Council, UNFCCC Conference of the Parties (COP) and World Water Week. Published as a daily edition, in both print and web form, Outreach provides a vehicle for critical analysis on key thematic topics in the sustainability arena, as well as a voice of regional and local governments, women, indigenous peoples, trade unions, industry, youth and NGOs. To fully ensure a multi-stakeholder perspective, we aim to engage a wide range of stakeholders for article contributions and project funding.

If you are interested in contributing to Outreach, please contact the team (gmacdonald@stakeholderforum.org or acutter@stakeholderforum.org)
You can also follow us on Twitter: @OutreachLive

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We request that the Major Groups be given the opportunity to submit suggestions and wording which would then be added to the official text for consideration, indication of support or deletion, and potential inclusion by governments.

We appeal to the UNCSG Secretary General to urgently reverse this state of affairs and to ensure that Major Groups have a seat at the table and a voice in the room where the negotiations are taking place. Please ensure that at the

very least, Major Groups are allowed a formal statement at the commencement of the next negotiating session and at every session where a new draft text is introduced. ■

MORE INFO

If you wish to add your organisation to the list of signatories, please sign and share the online petition at www.ipetitions.com/petition/rightsatrisk

Book Review: The Roads from Rio. Lessons Learned from twenty years of Multilateral Environmental Negotiations

Review by Derek Osborn

President, Stakeholder Forum

This wonderful book was published and launched in the UN on 23rd March. It is a must-read for everyone involved in multilateral negotiations about the environment and sustainable development.

The editors, Pamela S. Chasek and Lynn M. Wagner, have been closely associated with the Earth Negotiations Bulletin that has followed and reported in detail on all the main multilateral negotiations of the past 20 years. Their ringside view, and the incomparable archive that the Bulletin has assembled, give this book a unique depth of insight and understanding of all that has happened over those years.

As one who has himself attended a number of the key meetings, I feel as though the book reveals to me explanations for many of the twists and turns of negotiations, and their successes and failures, in a way that I could not fully grasp at the time. Like the best works of modern history it begins to make sense out of the apparent disorder and arbitrariness of negotiations as we have lived through them day by day.

It brings out the changing alliances and relative strength of different country groupings. It charts the gradually growing influence and contribution of the many civil society actors and shows how the scientific community has evolved its ability to build awareness and understanding of the global environment and the key drivers of change. It explores how the role of the official secretariats of the different processes has evolved and how best they can support complex and difficult negotiations. And, it gives a fascinating account of the various different methods that chairpersons and bureaux have developed to try to break negotiating deadlocks and forge new consensus.

The book also shows in some detail, how different issues and challenges have impacts on each other. The links between biodiversity, habitat protection, climate change, the ozone layer, and several other issues are explored,



along with the way in which separate negotiations on these different subjects have sometimes interacted positively, and sometimes less helpfully.

In a final section, the authors draw out some lessons about the whole history of multilateral environmental governance and some valuable pointers for the future.

Overall, of course, the history of the last 20 years is not good. The world as a whole is pressing ever closer against planetary boundaries or limits, and the transition to a more sustainable economy for the future is still only at the starting point. We urgently need to create mechanisms for stronger analysis, decision, action and implementation in order to make a better go of the next 20 years. Let us hope that all involved in Rio+20, and its follow up, will read, mark, learn and inwardly digest the messages of this essential book, and apply them to their current task. There needs to be a better story to tell by the time the authors come to write Volume 2, in time for Rio+40. ■

Integrating across sectors: the climate, energy and water nexus

Dr Jamie Pittock

The Australian National University and US Studies Centre

While the Rio+20 negotiations continue in New York, a major international conference, titled **Planet Under Pressure**, is being held in London. Focusing on solutions to the global sustainability challenge, it will provide scientific advice to the world's governments, on reforms required for sustainability. The intersection of climate change, energy and water policies provides insights into the cross-sectoral challenges that we face, and the opportunities to integrate out planetary stewardship for a sustainable future.

Many people regard climate change as the most pressing environmental problem on Earth. Consequently, policies are being adopted to promote low carbon energy technologies and carbon capture and storage, but many will greatly increase water consumption and impact on freshwater biodiversity. Under the Clean Development Mechanism (CDM), for instance, around a quarter of the accredited projects are for ecologically damaging hydropower dams. Water consumption is greatly increased – often in water scarce regions – by technologies like biofuels, hot rock geothermal and solar thermal power stations, pumped-storage back up to wind and solar photovoltaic generators, carbon capture and storage, and sequestration plantations.

Over a billion people lack access to safe drinking water, and nearly three billion lack access to adequate sanitation services. The Millennium Ecosystem Assessment identified aquatic biodiversity as particularly imperilled, and freshwater and wild fish as over exploited. Clearly there is a need to conserve the Earth's atmosphere, but should it be at the expense of freshwater ecosystems and services?

Conversely, measures being adopted to adapt water supplies to more variable and changing climates are greatly increasing energy consumption and exacerbating climate change. Water desalination and pumping water long distances to increase supply, are examples.

How then can our governments, businesses and societies make smarter, cross-sectoral decisions that avoid perverse impacts and favour positive synergies? We think there are five complementary solutions:

1. **Integrating data.** Too often decisions are based on monetary cost per increased unit of a sectoral service rather than considering, for example, the water consumed per unit of energy supplied. Better monitoring,

linking sectoral data bases and more comprehensive assessments can better inform decisions.

2. **Choosing better technologies.** All technologies have costs and benefits, and usually the cheapest is chosen without thought to impacts on other sectors. Choosing different technologies may sustain the supply of a desired service and greatly minimise perverse impacts. For instance, dry cooling is more capital intensive but can reduce water consumption of thermal power stations by 90%, compared to wet cooling (and at a cost of 8% of the energy produced).

3. **Integrating markets.** Poorly designed markets can create new externalities, for instance, the impacts on water consumption are rarely considered, in the establishment of carbon markets such as the CDM. Markets in natural resources need to be harmonised to eliminate externalities. In South Africa for example, designation under their Water Act of forest plantations as stream flow reduction activities, reduces perverse impacts by requiring forest growers to secure water entitlements and pay fees.

4. **Improving governance.** Around the world, a great many mechanisms for better cross-sectoral decision-making have been tested, we now need to apply them systematically. These include, providing legal mandates to organisations to consider links to other sectors in their work. Government institutions for cross-scale and cross-sector policy implementation can harness broader expertise. Earlier and broader strategic environmental assessments of new policies and technologies can identify and respond to perverse impacts. Third party accountability mechanisms may identify or prevent unanticipated problems. Adaptive management of policies can identify and apply lessons.

5. **Fostering leadership.** Policy entrepreneurs play key roles in catalysing reform, and we must consider how to identify, support and promote them.

Sectoral institutions and decision-making are dominant in government, business, academia and civil society. Through the use of these five solutions, our societies will make better cross-sectoral decisions and enable us to exercise sustainable stewardship of this planet. ■

Planet Under Pressure, 26-29 March

Held in London, the Planet Under Pressure conference will provide a comprehensive update of our knowledge of the Earth system and the pressure our planet is now under. In the lead up to Rio+20, the conference will offer scientific leadership, and focus the scientific community's and the

wider world's attention on climate, ecological degradation, human well-being, planetary thresholds, food security, energy, governance across scales and poverty alleviation. ■

MORE INFO www.planetunderpressure2012.net/index.asp

Greening the Human Development Index: Accounting for all pillars of sustainability

Chuluun Togtokh

Science Secretary of Sustainable Development Institute at National University of Mongolia, Science Director of Green Development Policy Institute and Vice-Chair of Mongolia's Global Change National Committee

Economic growth is an engine for development. However, there are two key issues from sustainability point of view that need to be addressed; that of the equal distribution of wealth among populations within countries, and whether economic growth itself can be green. In order to address these issues, I am proposing a new sustainability index composed of wealth, equity and environment.

In 1992, the first Earth Summit defined sustainable development as having three pillars: economic, social and environmental. As a global species we have had remarkable success with the first two pillars. But, ultimately, our failure to address global sustainability lies in our inability to tackle all three dimensions simultaneously. Reductionism, fragmentation, division, and self-interest to keep one's 'own territory', are reasons for such failure. The UN Human Development Index (HDI) is indicative of this fragmented approach, as it does not account for the environmental dimension.

The HDI has set straightforward targets for countries and international organisations for more than twenty years. Its success and influence owe much to its simplicity. It brilliantly summarises quality of life in a given country using health, education, and income levels. Yet it fails to cover an increasingly vital question for humankind: how sustainable is that development? In the current HDI, developed nations and oil-rich countries are placed highly without regard to how much their development paths are costing the planet and humankind's future development. There is little regard for the resulting fundamental changes to the Earth System.

As the UN prepares for Rio+20, it must lead by example. It should include an environmental indicator and so change the HDI to a Human Sustainable Development Index. Nations' CO₂ emissions per capita provide a simple,

available and measurable indicator of environmental impact. They also reveal a somewhat unsurprising dynamic – that countries with faster HDI improvements also experience a more rapid increase in CO₂ emissions per capita. The bottom line: recent progress in the HDI has come at the cost of global warming.

I am also proposing the inclusion of a social index, which accounts societal equality, instead of health and education as in the HDI. Societal equity can provide a good indication of wellbeing, for example, in societies where the income differences between rich and poor are smaller, health trends and life expectancy are better, and numeracy and literacy scores tend to be higher. Community life is also stronger, with more trust between citizens, and smaller prison populations. In summary, societal equality is critical for social resilience, and better captures social sustainability.

To find out how the inclusion of environmental and social indices affects the HDI, I included per capita carbon emissions and equity levels, and recalculated the sustainability index, using the UN's published methodology. My resulting Human Sustainable Development Index shows very interesting results, when compared with the HDI:

Australia, the US and Canada fall straight out of the top ten

- US drops from 4th to 64th;
- Australia slides by 52 places from 2nd to 54th;
- Canada falls from 6th to 38th; and

More equal societies such as Sweden, Norway, Denmark and Japan received the highest rankings

- Sweden rises from 10th to 1st;
- Denmark moves from 16th to 2nd;
- Japan from 12th to 4th position;

The implications of the Sustainability Index go beyond the symbolic. The HDI has shifted the target of development beyond the almighty dollar, but the new Human Sustainable Development Index, or Sustainability Index completely shifts development targets into social and environmental resilience building, addressing challenges such as climate change and societal equality. It brings new insights into governance for sustainability because better societal equality and green development pathways depend on policy decisions made by the government and institutions. ■

MORE INFO

www.nature.com/news/time-to-stop-celebrating-the-polluters-1.9370

Sustainability: Reassessing what we count and measure

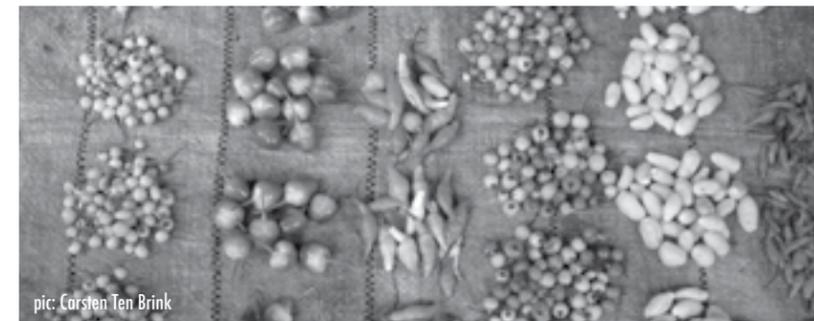
Professor Sir Partha Dasgupta

Chair of the Scientific Committee, IHDP

Professor Anantha Duraiappah

Executive Director, IHDP

There is much to like about the UN Secretary General's High Level Panel report, 'Resilient People, Resilient Planet: A Future Worth Choosing'. The Panel acknowledges past successes, while recognising the failure, and indeed inability, of the current global political-economic order to implement the drastic changes necessary to bring about what could truly be deemed sustainability.



It presents a vision for a 'sustainable planet, just society and growing economy', as well as 56 policy recommendations for realising that vision and is arguably the most prominent international call for a radical re-design of the global economy ever issued. Yet, for all its rich content, the Panel's report is less clear on concrete, practical solutions. Its most valuable short-term recommendation – the replacement of current development indicators with more comprehensive and inclusive metrics for wealth – seems tacked on, almost as an afterthought. Without quick, decisive international movement to prioritise sustainability at the expense of the status quo, the report risks suffering the fate of its 1987 predecessor, the pioneering Brundtland Report, which introduced the concept of sustainability at the international level – and similarly called for a paradigm shift – but which was not followed with action.

The world today is 'experiencing the best of times, and the worst of times', begins the Panel, setting the contrasting tone for the full report: as a whole, the globe is experiencing unparalleled prosperity; great strides are being made to reduce global poverty; technological advancements are revolutionising untold corners of life across the world, stamping out diseases and transforming communication. At the same time, inequality remains stubbornly high and, in many areas, is increasing; and short-term political and economic strategies are driving consumerism and debt, while putting ever-greater stress

on the natural environment. Despite our advancements, humanity has not used the past 25 years to conserve resources, safeguard natural ecosystems, or otherwise ensure its own long-term viability.

While the planet is undoubtedly facing a number of perilous crises, it may be out of crisis itself that real action is born. As the Panel points out, it is clearer than ever that a paradigm shift is necessary to achieve truly sustainable global development, within planetary boundaries.

The 2010 Report on the Measurement of Economic Performance and Social Progress, commissioned by French President Sarkozy, echoed the current consensus among social scientists that we are mis-measuring wellbeing by using per capita GDP as our yardstick for progress. We need new indicators that tell us if we are destroying the productive base that supports our wellbeing. An immediate move could be to mobilise, and support, those organisations that are creating new development indicators, which internalise the social and environmental costs of economic growth.

The United Nations University's International Human Dimensions Programme (UNU-IHDP), with support from UNEP, is aiming to address these issues in its first Inclusive Wealth Report (IWR). The report provides a capital approach to sustainability – based on a portfolio of stocks of assets or 'wealth', including natural, produced, and human and social capital – and aims to carry out a comprehensive analysis of the different components of wealth, by country, together with their link to economic development and human wellbeing. The IWR pays particular attention to natural and human capital, and shows how to formulate policies that are based on the social management of asset portfolios.

The first IWR, which focuses on a selection of 20 countries worldwide, will be officially launched at a joint UNEP and IHDP side event at Rio+20. Preliminary findings will be presented during the **Planet Under Pressure** Conference in London this week. The IWR represents a crucial first step in changing the global economic paradigm, by forcing us to reassess our needs and goals as a society, and ensuring we have the correct information with which to implement and assess our economic development and improved wellbeing. It is not intended as the universal indicator for sustainability; but it does offer a rigorous framework for dialogue, with multiple constituencies representing the environmental, social and economic fields.

Our situation is critical, and, as the Panel aptly put it, 'tinkering around the margins' will no longer suffice. The call for a radical paradigm shift in the global economic system has been made once again. Our challenge now will be to follow up words and recommendations with action. ■

Mountain knowledge solutions to strengthen the water, energy, and food security nexus

David Molden

Director General, International Centre for Integrated Mountain Development (ICIMOD), Kathmandu

Sustainability at every level, from an individual household to the global community, depends on secure supplies of, and equitable access to, water, food, and energy. Mountains play a vital role in this nexus, particularly in the provision of water.

Because of the rapid changes taking place as a result of global warming, the mountain agenda is much more significant today than it was in 1992. The Rio+20 outcome document needs to recognise this new reality and take action.

Progressive warming at higher altitudes has been three to five times the global average. In the Hindu Kush Himalayan (HKH) region, this rapid warming is evident in our observations of increased snow and glacial melt and the frequency of extreme events – such as devastating floods and droughts – which have exacerbated problems of poverty and hunger. Climate and other global changes are creating tremendous uncertainties in the world's mountain ecosystems.

Glaciated and snow-clad mountains are the world's water towers. They supply enough water to meet more than 50% of the fresh water needs of the world's population. High mountains store an immense volume of water in the form of ice, snow, and sub-surface water, which is gradually released to support food, energy, and biomass production, and to provide water for drinking, sanitation, domestic needs, and industry. The diverse microclimates found in mountain ecosystems generate huge biological diversity including agro-biodiversity, which is critical to food and nutrition security.

Historically, data, information, and knowledge about the diverse and interconnected human and ecological systems in mountain regions have been unavailable, scattered, or largely unusable for various reasons. The global changes we are now witnessing are creating entirely new knowledge gaps.

For example, there is huge variability in future water supply scenarios in terms of volume, seasonality, rainfall intensity, and frequency. As a result, new knowledge gaps include: uncertainties about which basin and delta regions will experience the most severe floods or droughts, and how such water-related changes will impact food and energy production. Water is a basic resource and deserves priority in terms of knowledge creation and policy reform. Mountain water resources are also a future source of



pic: Frank Kovalchek

energy from hydropower development. Enhancing food and energy security will require long-term planning, enabling policies, and an institutional framework that offers incentives to the private and public sectors to accelerate the production and distribution of renewable energy, in a sustainable manner and under rapidly changing conditions. This will not be an easy task given the present state of knowledge.

The contribution of mountain ecosystems to global food security is not limited to water and energy supply. Mountain communities have long been silent custodians of agrobiodiversity. Mountains are reservoirs of the wild relatives of domesticated crop species – the genetic resources we need to supply the world's future food and fibre needs. Maize, potatoes, barley, sorghum, tomatoes, and apples all have their genetic origins in mountain ecosystems. So do sheep, goats, domestic yaks, llamas, and alpacas.

Genetic diversity in mountains is particularly high, in part due to their geographic isolation, but also because many diverse mountain cultures have long traditions in the cultivation and husbandry of certain plants and animals. This vast store of indigenous and traditional knowledge is poorly documented – or if it is recorded – seldom analysed or applied. The intellectual property rights of indigenous people have not yet received adequate recognition.

The Future We Want document from Rio+20 should therefore recognise the critical role of mountains as global public goods that supply water for life, food, bioresources, and clean energy for prosperity. Research and knowledge creation needs to focus on mountain issues, including: conservation of fresh water resources and critical biodiversity, maintenance of gene pools, and protection of forest, wetland, and rangeland ecosystems – with particular attention to strategies for enhancing people's livelihoods and wellbeing. Traditional knowledge and adaptive solutions – especially relating to natural resource management practices and farming systems – are invaluable assets for sustainable management of renewable natural resources.

The benefits derived from mountain ecosystems go far beyond their boundaries. Policies that provide incentives to people in mountain communities to better conserve and manage mountain ecosystem services can promote green economies in both developing and developed countries. ■

How to measure progress after Rio+20? Sustainable Development Goals for all.

Derek Osborn

President, Stakeholder Forum

Current discussions about measuring progress after Rio+20 and the establishment of Sustainable Development Goals (SDGs) are in danger of focusing mainly on the developing world. There needs to be equal emphasis on establishing goals for the sustainability transition in the developed world and the emerging economies.

The MDGs are rightly valued in the development world for the focus and drive they have given to the international development process, and the eradication of poverty, in many developing countries over the past decade. It is therefore natural that many people want to retain that focus and drive. At the same time, it will be important to ensure that at their next iteration, such goals are integrated more effectively with sustainability and environmental principles. Thus, the elimination of hunger should be coupled with the promotion of more sustainable agriculture. Providing access to electricity should be coupled with spreading renewable and locally produced electricity. Provision of water and sanitation should be coupled with protection of water resources and the water environment.

These issues are now gaining traction at the negotiations, in the discussions about the emerging concept of SDGs. However, this laudable objective is in danger of distracting attention from the equally important and complementary issue of tackling the heavy 'footprint' of the developed

world on the developing one, and on the globe in general. It is the excessive carbon emissions of the developed world and emerging economies that are driving climate change and the burden that it already places on the world, especially on the more vulnerable countries of the developing world. Furthermore, the excessive consumption of other resources is driving loss of forests and fish stocks, land degradation and other environmental crises. Any worthwhile set of SDGs emerging from Rio must place as much weight on the need to reduce these damaging impacts from the developed world as on the goals for the developing world. The developed world and the emerging economies need to urgently promote resource efficiency, move to a low carbon economy and develop renewable sources of electricity. The SDGs should establish indicators, targets and milestones for this transition.

This suggests some kind of twin-track method, but care should be given to ensuring that the tracks work together in a complementary fashion. The overarching objectives of sustainable development, as defined by the 2002 Johannesburg Plan of Implementation, can be the glue here, emphasising the complementary objectives of poverty eradication and protection of the natural resource base. 'Poverty eradication, changing unsustainable patterns of production and consumption and protecting and managing the natural resource base of economic and social development are overarching objectives of, and essential requirements for sustainable development.'

Thus, while there should be a focus on improving basic health and wellbeing in developing countries, it is also important to track their own growing global footprint. Likewise, while it is imperative that the developed world's footprint be monitored and reduced, this must be done whilst maintaining and improving health and wellbeing, not at the expense of it. Realising that pockets of the developing world can be found in developed countries, and vice versa, is also worth recognising in order to bind these two overarching and driving objectives together.

This approach has the potential to form the basis of a common and coherent course for measuring the progress of developing, developed and middle-income countries, while contributing to the common goal of sustainable development. ■



pic: Chris Dlugosz

A youth intervention

Lloyd Russell-Moyle
European Youth Forum

As we approach the end of the March negotiations, I worry that we are taking steps backwards in a number of areas, not forwards, and I am fearful that we have failed to grasp fully the task that lies ahead. Yesterday, we presented to the Executive Coordinators three main points that are the top of our agenda: Participation that matters, Governance with teeth, and a Rights-Based Approach. The details of this intervention are as follows:

Participation that Matters

The Major Group for Children and Youth (MGCY) are increasingly concerned with the participation of civil society within the Rio process, particularly in regards to the Major Groups. We want to remind the Executive Coordinators of the original General Assembly resolution, which reaffirmed "the objective of enhancing the participation and effective involvement of civil society" as we feel that this is currently not being sufficiently met.

In the run-up to Rio, we see the embedding of civil society as essential, and have identified a number of necessary actions to be implemented. Firstly, we ask for complete access to information and negotiation texts at regular points, with the ability to send these materials to our networks in order to engage with global civil society within the negotiations in real time, and not just the privileged few that are physically present. Secondly, we must have meaningful space for participation in the plenary sessions, including speaking slots at the negotiations, scheduled at significant moments in the agenda. Finally, we want to ensure that access for Major Groups will not be increasingly limited in further rounds.

For more long-term reform, we believe the outcome of Rio should include:

- The ability of Major Groups to directly propose amendments and contribute to future discussions;

- The provision of structural support, including administration and practical financial instruments, made available to Major Groups; and
- The clarification of the legitimacy and democracy of the Major Groups.

Governance with teeth

Only through renewed and strengthened institutions can we achieve success at Rio. Without clear outcomes on institutional frameworks, all other agreements are futile, with no longevity or effective way to be implemented. At the moment, these institutions are toothless tigers and we urge everyone to focus on this area to achieve agreement. It is critical that we strengthen the environmental dimension of sustainable development, bringing to a halt the current siloing of each pillar.

We wish to highlight the need for Ombudspersons at the national and UN levels. However, this is clearly only the beginning of the creation of a longer term approach to our planet and we need to move in other areas. We recognise that we are unlikely to have a UN treaty change on the strengthening of ECOSOC, and this is why the only solution is a Sustainable Development Council, that brings together all the spheres of sustainable development directly under the General Assembly. Finally, we call for UNEP to be transformed and upgraded to be an organisation with universal membership that is able to coordinate and streamline MEAs, identifying synergies and increasing efficiency.

A rights based approach

Like many CSOs, we are deeply concerned that the Human Rights agenda seems to have been sidelined throughout these negotiations and that some States appear to be regressing on principles and wording already agreed elsewhere in the UN systems. This is due either to a lack of understanding by States on the difference between universal access and the right itself, or more worryingly, because they actively wish to undermine our rights. We cannot sit by and allow this to happen. In particular, the right for clean drinking water and decent sanitation must be re-affirmed, and the implementation of universal access should follow.

In this statement the MGCY has tried to address the immediate, as well as the longer term, concerns of children and young people in the Rio+20 process. We all know that negotiations are far from over, but we must make sure that children and young people are included – as already called for by the General Assembly – in government delegations as advisors or as civil society. ■

Sustainable Development + Rule of Law = Safeguarding the future for generations to come

Kirsty Schneeberger
Senior Project Officer, Stakeholder Forum

Yesterday saw the launch of the World Congress on Justice, Governance and Law for Environmental Sustainability – a congress of Judges, Attorneys-General, public prosecutors and Minister of environmental justice and many other experts in the legal world. The congress aims to bring the importance of implementation, compliance, and enforcement to the centre of the Rio+20 outcomes.

The distinguished panel of experts included Ms. Amina Mohamed, Deputy Executive Director, UNEP; Mr. Bakary Kante, Director, Division of Environmental Law and Conventions, UNEP, and Mr. Antonio Herman Benjamin, Justice of the Supreme Court of Brazil and many others. The overall message was clear: one of the three main objectives of Rio+20 is to review gaps in implementation and this must be a focus of any outcome document that is agreed in June.

As lawyers and judges, the panel was keen to emphasise the critical role that compliance and enforcement plays in achieving sustainable development. Cletus Springer, Director of the Department of Sustainable Development for the Organisation of American States, suggested that the following equation must guide thinking when developing the policy outcomes for Rio:

Sustainable Development – Rule of Law = Environmental Degradation

Or to put it another way, if the Rule of Law not strong enough to provide compliance and enforcement mechanisms of sustainable development policies, then environmental degradation will continue, due to a lack of environmental protection.

The World Bank reinforced the argument for strengthening the Rule of Law by offering a perspective from the investment world: that it is much more difficult to invest

when there is no coherent global policy framework of compliance and enforcement of sustainable development policies. Having a more robust legal framework and stronger Rule of Law practices at both the international and national level will result in investor confidence.

Finally, in the summation remarks Justice Antonio Herman Benjamin stated that he is "most concerned about the five year period after Rio" – the period when the outcomes will be put in place and implemented through both existing, and new, legal mechanisms. "One of the paradigm shifts we have seen since Rio in '92" he continued "is that we better understand that laws by themselves do not mean much." Without effective mechanisms for enforcing the laws, he stressed, the gap between paper laws and practice continues to widen. He urged the congress, and others involved in the Rio+20 process, to "close the disconnect between legal scholarship and practice", learn from the lessons of weak implementation, and understand that a declaration alone will not be enough to achieve sustainable development.

With that rally cry from the judges and legal practitioners, we can all look ahead, not just to Rio, but beyond – and especially to those first five years when any outcomes will be transposed from soft law principles or high level agreement into hard law practices. It would be both an embarrassment and a shame on this generation if, in twenty years' time, the gaps in implementation – due to weak compliance and enforcement mechanisms – continue to undermine the transition to sustainable and just societies, and compromise the ability of future generations to live healthy, happy, and safe lives. So perhaps we might consider the following equation on the path to Rio and beyond:

Sustainable Development + Rule of Law = Safeguarding the future for generations to come. ■

Rio+20 Side Event Calendar

Date	Time	Room	Title	Organisers
Tuesday, March 27th, 2012	8:15-9:30	7	Green Jobs for Youth	International Labour Organization (ILO), UNEP
	1:15-2:45	E	Nation Proposal of the Republic of Kazakhstan for Rio+20 "Time for Radical Strategic Decisions"	Permanent Mission of Kazakhstan to the UN
	1:15-2:45	7	Inter-agency Assessment of Sustainable Development in Latin America: Progress, gaps and strategic guidelines 20 years on from the Earth Summit	Economic Commission for Latin America and the Caribbean (ECLAC)
	1:15-2:45	Eco	Women's Critical Perspectives on the "Green Economy"	Women in Europe for a Common Future (WECF) Asia Pacific Forum on Women, Law and Development (APWLD)
	1:15-2:45	B	Private and public solutions for ensuring Sustainable Energy for All	The Nordic countries
	1:15-2:45	1	Meeting the Challenge of Communicating Rio+20: Engaging the Global Public in the Transformation to a Sustainable Future	NRDC, EMA, GCCA, Global Green and DPI
	1:15-2:45	6	Special Event on The Trade Dimension of Rio+20: Key Issues for the Outcome Document	UNCTAD, UNDESA and ECLAC
	6:15-7:45	Eco	A Global Call to End Plastic Pollution	Natural Resources Defense Council, Aspen Catto Fellows, Plastic Pollution Coalition
	6:15-7:45	E	Dialogue on a convention for social responsibility and accountability	Stakeholder Forum for a Sustainable Future



News from the Negotiations - Synthesis of Plenary Sessions

Emma Puka-Beals
Mount Holyoke College

Monday, 26th March

As a continuation of last week's informal-informal negotiations, the co-chair announced that Monday morning's plenary would continue to have open seating and no formal list of speakers. The co-chair then stated that the day's negotiations would begin with a statement by the G77+China on sections III, IV and V of the Zero Draft – which the group had been not prepared to comment on last week – followed by a second read through of the Zero Draft. The co-chair announced that, due to time constraints, there would then be two parallel negotiations in which half of the delegates would negotiate sections I, II and IV, while the other half of delegates negotiated sections III and V.

Before the G77+China began commenting on section III, Palestine expressed shock at the lack of member state consultation on this proposed process of parallel negotiations, and dismay at the informal nature of the plenary. The EU expressed openness to the parallel negotiations, on the strict condition that co-chairs guide the streamlining process and prevent the same themes from being negotiated simultaneously.

The floor was then given to the delegate representing the G77+China, who began making specific comments on submissions to paragraphs 25. The co-chair expressed surprise that the G77+China was commenting on the document paragraph by paragraph, rather than with an overarching statement. The morning plenary then continued with additions, interventions and clarifications by the G77+China and other member states, following the pattern of the G77+China asking for clarification on the bracketing of text by other member states. Delegates reached

paragraph 47 by the morning plenary's conclusion at 1pm. The co-chair expressed concern about the pace of the discussions.

In the afternoon plenary, the G77 continued to question why its proposed paragraphs throughout the document had been marked for deletion, with a view to take responses to G77 negotiations for further discussion.

The G77 moved to address principle 10 in a later section. It objected to text that associated population growth with environmental degradation, stating that the more serious cause was unsustainable patterns of production and consumption in the developed world. The EU addressed criticisms of its terminology 'indigenous and local communities', stating that it would continue to use the phrase, but revisit each instance for accuracy.

There was debate between the EU and the G77 on the placement of text from sections III and V, with the EU wanting to link text on the Green Economy directly with action-oriented language. The G77 strongly opposed this, moving to delete language proposed by the EU on the Green Economy roadmap. The G77 felt that the Green Economy roadmap had not been adequately defined and that there was no consensus on what it would entail, making any reference to it problematic.

In reference to food security, the G77+China reasserted its view that the rights to development are inextricably linked to food security. The G77 also moved to retain all of the alternate text it had proposed on water and delete the original paragraph, as well as deleting all paragraphs on energy. ■



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