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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. briefing paper	International Programs and Resources (3 pages)	00/00/0000	P1/b(1)
002. memo	Curtis Bohlen to Dan Blank et al re Organizational Meeting for CSD Policy Review [partial] (1 page)	03/08/1993	P3/b(3)

COLLECTION:

Clinton Presidential Records
Council on Environmental Quality
Kathleen "Katie" McGinty
OA/Box Number: 2612

FOLDER TITLE:

United Nations (Climate) [2]

2012-0769-F

kc1947

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed
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PRM. Personal record misfile defined in accordance with 44 U.S.C.
2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of
an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial
information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of
personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement
purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of
financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information
concerning wells [(b)(9) of the FOIA]

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all observers
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FINAL UNEDITED TEXT

January 28, 1993

**Report of the Secretary-General on the rules of procedure of the
Commission on Sustainable Development**

1. The General Assembly in its resolution 47/191, requested the Economic and Social Council at its Organizational Session to set up a high-level Commission on Sustainable Development as a functional commission in accordance with Article 68 of the Charter of the United Nations in order to ensure the effective follow-up of the United Nations Conference on Environment and Development, as well as to enhance international cooperation, rationalize the intergovernmental decision-making capacity for the integration of environment and development issues and to examine the progress of the implementation of Agenda 21 at the national, regional and international levels, fully guided by the principles of the Rio Declaration on Environment and Development and all other aspects of UNCED, in order to achieve sustainable development in all countries.

2. The Assembly recommended, *inter alia*, that the Commission should provide for representatives of various parts of the United Nations system and other inter-governmental organizations, including international financial institutions, GATT, regional development banks, sub-regional financial institutions, relevant

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regional and sub-regional economic and technical cooperation organizations and regional economic integration organizations to assist and advise the Commission in the performance of its functions within their respective areas of expertise and mandates, and participate actively in its deliberations, provide for the European Economic Community, within its areas of competence, to participate, as will be appropriately defined in the Commission on Sustainable Development rules of procedure, fully, without the right to vote, and provide for non-governmental organizations, including those related to major groups as well as industry and the scientific and business communities, to participate effectively in its work and contribute within their areas of competence to its deliberations;

*for much better
banks do
this?*

3. In light of the above, the Assembly requested the Secretary-General to submit for the consideration of the Economic and Social Council at its Organizational session in 1993 his proposals on the rules of procedure for the Commission including those related to participation of relevant intergovernmental and non-governmental organizations, as recommended by UNCED, taking into account the following:

(a) the procedures, while ensuring the intergovernmental nature of the Commission, should allow its members to benefit from the expertise and competence of relevant intergovernmental and non-governmental organizations;

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(b) the procedures should permit relevant intergovernmental organizations inside and outside the United Nations system, including multilateral financial institutions, to appoint special representatives to the Commission;

(c) Rules of procedure of ECOSOC and rules of procedure of its functional commissions;

(d) Rules of procedure of UNCED;

(e) Decisions 1/1 and 2/1 of the Preparatory Committee for UNCED;

(f) Paragraphs 38.11 and 38.44 of Agenda 21;

4. The functional commissions of ECOSOC work under the Rules of Procedure of the Functional Commissions of the Economic and Social Council (Document E/5975/Rev.1). However, Rule 27.2 of the Rules of Procedure of the Council (Document E/5715/Rev.2) states that "the rules of procedure of the commissions and their subsidiary bodies shall be drawn up by the Council, unless it decides otherwise". In the light of the recommendations of the 47th session of the General Assembly regarding the rules of procedure of the Commission on Sustainable Development it would appear that two possible courses of action are open to the Council. It could (i) elaborate a separate set of rules of

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procedure for this Commission; or (ii) take decisions, applicable only for the Commission on Sustainable Development, regarding relevant provisions of the standard Rules of Procedure of its Functional Commissions in order to ensure that its procedures align with paragraphs 7 and 8 of General Assembly resolution 47/191.

5. The Secretary-General is of the view that most of the standard rules of procedure of the functional commissions of the Council continue to be relevant to the Commission on Sustainable Development and would allow it to perform its functions effectively. Some questions arise, however, in respect of the rules related to the participation of specialized agencies, other inter-governmental organizations, the European Economic Community, as well as representation of and consultations with non-governmental organizations.

6. In order to adjust relevant provisions of the standard rules of procedure to meet the needs of the Commission on Sustainable Development, as recommended by the General Assembly, the Secretary-General suggests that the Council might adopt a resolution applicable solely to the Commission on Sustainable Development which would: give an interpretative statement of rules 71-73 on participation of and consultation with specialized agencies and rule 74 on participation of other inter-governmental organisations; supersede rules 75-76 on representation of and

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consultation with non-governmental organizations; and provide for the participation of the EEC in the Commission on Sustainable Development. In any case, the Council may wish to amend footnote 1 to the Rules of Procedure of the Functional Commissions of ECOSOC (Document E/5975/Rev.1) to include in the enumeration of functional commissions the Commission on Sustainable Development.

Participation of and consultation with specialized agencies and participation of other inter-governmental organizations (Rules 71-74)

7. The General Assembly recommended that the rules of procedures of the Commission on Sustainable Development should permit relevant intergovernmental organizations inside and outside the United Nations system, including multilateral financial institutions, to appoint special representatives to the Commission. In view of the Secretary-General it would be useful if specialized agencies and other relevant inter-governmental organizations, including financial institutions, would designate a representative to attend on their behalf the sessions of the

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8. It seems that, in principle, current provisions of the rules of procedure of the functional commissions of ECOSOC would allow specialized agencies and other intergovernmental organizations to appoint special representatives to the Commission on Sustainable Development. Accordingly the Council may wish to adopt an appropriate interpretative decision regarding rules 71-74 in which it could invite specialized agencies and other intergovernmental organizations, including financial institutions, to consider designating such representatives with the above mentioned functions.

Participation of the European Economic Community

9. Upon recommendation of the Preparatory Committee for UNCED as contained in its decision 4/6 on the status of the European Economic Community in UNCED, the General Assembly, in its decision 46/470 of 13 April 1993², decided to amend the draft provisional rules of the Conference "in order to allow the European Economic Community to participate fully" in the Conference. The Secretary-General notes that these rules cannot, in and of themselves, be utilized for EEC participation in the Commission on Sustainable Development. Whereas the Assembly decided to include EEC among the full participants at the Conference, the Assembly decided that the 53 members of the

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Commission would be States. The EEC thus cannot be a member of the Commission. With the exception of chapter XII on "Participation of non-members of the Commission", the rules of procedure of the functional commissions govern the rights of the elected members of the functional commissions. It would not, in the Secretary-General's view, be appropriate to provide a general rule or decision by which a non-member of the new Commission could have the same rights as members.

10. Moreover, such a general rule would not be in accord with the UNCED precedent with regard to EEC "full participation". It should be recalled that by decisions 4/6 of the Preparatory Committee for UNCED and 46/470 of the Assembly, the rules of procedure of UNCED were amended in order to allow the EEC to participate fully in the Conference. As amended, some rules applied to both representatives of States and the EEC, such as submission of credentials, and some applied to representatives without distinguishing among them, such as the rule on making proposals. Other rules, however, were restricted only to representatives of States, such as those concerning the holding of office, being counted for quorum purposes, and making such procedural motions as moving for adjournment of debate, closure of debate, or suspension or adjournment of the meeting.

11. In the Secretary-General's view, the Council could give the EEC rights of full participation as a non-member of the

UNCED -
"full" participation
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Commission, analogous to rights found in the existing rules applicable to the participation of non-members of the functional commissions, in particular rules 69 and 71. ECOSOC could accord such rights to the EEC by means of a separate decision relating to EEC participation as a non-member of the Commission along the following lines:

"Participation of the European Economic Community
in the Commission on Sustainable Development"

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The Commission on Sustainable Development or a subsidiary organ thereof shall invite the European Economic Community, within its areas of competence, to participate [fully] in its deliberations on any matter of particular concern to the Community, [The Community shall not have] ^{without} the right to vote, but may submit proposals which may be put to the vote on request of any member of the Commission or of the subsidiary organ concerned. ^{but proposals may be submitted on its behalf by}

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12 Accordingly, the Council may wish to incorporate a footnote to rule 74 of the Rules of Procedure of the Functional Commissions of ECOSOC (Document E/5975/Rev.1) that would read:
"Participation of the European Economic Community in the Commission on Sustainable Development is governed by ECOSOC resolution (number of the resolution the Council might adopt...)"

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- * 13. Finally, it should be observed that participation in informal meetings, consultations or negotiations is a matter falling outside the formal rules of procedure; it is a matter in the first instance for the convenor of such meetings to determine. Thus, participation of EEC in such meetings will be a policy matter to be determined.

Representation of and consultation with
non-governmental organizations (Rules 75 and 76)

14. The United Nations Conference on Environment and Development was characterized by unprecedented involvement of non-governmental organizations. These organizations made a significant contribution both to the preparations for and the results of the Conference. The procedures for the participation and accreditation of non-governmental organizations for the UNCED process has been determined by the Preparatory Committee for UNCED in its decisions 1/1 and 2/1, subsequently endorsed by the General Assembly in its resolutions 45/211 of 21 December 1990 and 46/168 of 19 December 1991. Decision 1/1 of the Preparatory Committee high-lighted the need to ensure equitable representation in the UNCED preparatory process of NGOs from developed and developing countries and from all regions, as well as a fair balance between non-governmental organizations with an environmental focus and those with a developmental focus and to encourage the participation of scientific organizations.

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15. By the conclusion of the fourth session of the Preparatory Committee (New York, March-April 1992) the Committee had established the competence and relevance of more than 1400 NGOs for participation in its work. These organizations were eligible, in accordance with General Assembly resolution 46/168, to participate as observers at the Rio Conference. Some 1000 of these NGOs do not have Consultative or Roster status with the Council.

16. The United Nations Conference on Environment and Development in paragraphs 38.11 and 38.44 of Agenda 21 recommended that the Commission on Sustainable Development should "encourage the participation of non-governmental organizations, including industry and the business and scientific communities", and that in relation to the UNCED follow-up process "procedures should be established for an expanded role for non-governmental organizations, including those related to major groups, with accreditation based on the procedures used in UNCED".

17. The Secretary-General shares the view of the General Assembly that the Commission on Sustainable Development should continue to benefit from the expertise and competence of non-governmental organizations, including those that were accredited to UNCED. In order to ensure continuity and further enhance the dialogue between the representatives of governments and the non-governmental organizations, as important partners for sustainable

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development, the Economic and Social Council may wish to decide that any non-governmental organization which was accredited to participate in the work of the Preparatory Committee for UNCED by the conclusion of its fourth session but does not have consultative status with ECOSOC can apply for and shall be granted Roster status, bearing in mind the provisions of Article 71 of the Charter of the United Nations. Those NGOs shall be eligible to designate authorized representatives to participate in the sessions of Commission on Sustainable Development in accordance with its rules of procedure.

18. A decision of the Council to grant Roster status to interested non-governmental organizations which were accredited to participate in UNCED would likely result in a significant increase in the number of NGOs eligible to participate in the Commission on Sustainable Development. In order to enhance and facilitate the active and coordinated participation of the NGOs in the work of the Commission, the Secretary-General believes that it might be useful for the non-governmental organizations themselves to organize or continue organizing in various constituencies and interest groups as well as setting up non-governmental networks, including electronic networks, for exchange of information and documentation related to the work of the Commission and UNCED follow-up in general.

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19. In addition, non-governmental preparations for and contributions to UNCED follow-up and the work of the Commission on Sustainable Development, might be facilitated through such arrangements as the following:

(a) non-governmental organizations could organize coalitions/consortiums which could meet annually in advance of Commission's sessions to develop positions and designate representatives to attend its sessions and act as their spokespersons;

(b) non-governmental organizations could hold periodic sub-regional/regional meetings to develop positions on given themes based on the work programme of the Commission;

(c) Non-governmental organizations may consider developing parallel consultative processes linked with the themes reflected in the work programme of the Commission.

(d) annual meetings between NGO groups and Commission's Secretariat could be organized, in order to maintain an active relationship and liaison during the inter-sessional periods;

20. Bearing in mind the procedures related to the participation of the NGOs developed in the UNCED process, in particular decision 1/1 of the Preparatory Committee, the Council may also

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AN AMENDMENT TO THE RULES)

wish to adopt the following decision that would supersede solely
for the purposes of the Commission on Sustainable Development
rules 74 and 75 of the Rules of Procedure of the Functional
Commissions of ECOSOC:

"Representation of and consultation with the non-governmental
organizations in the Commission on Sustainable Development."

a. get in note.

1. Non-governmental organizations in category I or II or relevant
and competent non-governmental organizations on the Roster,
may designate authorized representatives to be present and

observe the meeting of the commission and its subsidiary organs.

Should the number of non-governmental organizations which have
expressed their desire to be present at such meetings exceed the
capacity of the room where the meeting of the Commission or its
subsidiary body is being held, the Chairman of the commission or
its subsidiary organ may request the non-governmental
organizations concerned to designate representatives to be
present in the room.

2. These non-governmental organizations may, at their own
expense, make written presentations to the commission and its
subsidiary organs through the secretariat in the official

1/ Relevance and competence of the non-governmental organization
on the Roster shall be determined by the Council on the
recommendation of the Secretary-General.

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among
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languages of the United Nations as they deem appropriate. Those written presentations will not be issued as official documents.

3. These non-governmental organizations may be given an opportunity to briefly address the meetings of the commission and its subsidiary organs. In view of the number of non-governmental organizations which have expressed their desire to be accorded that opportunity, the Chairman of the commission or its subsidiary organ may request the non-governmental organizations concerned to address the meetings through one or more spokespersons. Any oral intervention by a representative of a non-governmental organization would be at the discretion of the Chairman of the commission or its subsidiary organ and with the consent of the members of the commission or its subsidiary organ, as the case may be.

4. Non-governmental organizations shall not have any negotiating role in the work of the commission and its subsidiary organs.

5. The Commission may consult with non-governmental organizations in category I or II or relevant and competent non-governmental organizations on the Roster^{1/} either directly or through a committee or committees established for the purpose. In all cases, such consultations may be arranged on the invitation of the commission, at the request of the non-governmental organization or on the recommendation of the Secretary-General.²

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21. Accordingly, the Council may wish to incorporate an additional footnote to rules 75 and 76 of the Rules of Procedure of the Functional Commissions of ECOSOC (Document E/5975/Rev.1) that would read: "Not applicable to the Commission on Sustainable Development, for which the terms of representation of and consultations with the non-governmental organizations were determined by ECOSOC in its Resolution (number of the resolution the Council might adopt in this regard)".

over new
NGO
rules

22. The Secretary-General also believes that it would be appropriate for the Council to undertake a general review of the overall arrangements for consultations with non-governmental organizations. The current arrangements were basically determined by the Council in its resolution 1296 (XLIV) of 23 May 1968. It now seems timely to update these arrangements in the light of relevant experience gained within the United Nations in the course of last twenty five years, in particular through the UNCED process. Accordingly, the Council may wish to request the Committee on Non-Governmental Organizations to undertake such a review and to report back to the Council at its substantive session of 1995.

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TAGS: AORC, SENV, UN

SUBJECT: UNCED FOLLOW-UP: ECOSOC COMMISSION ON
SUSTAINABLE DEVELOPMENT {CSD}

REF: {A} 92 STATE 323823 {B} USUN NEW YORK 342 {NOTAL}

1. THIS IS AN ACTION MESSAGE - SEE PARA 8.

2. SUMMARY. NEXT WEEK'S ORGANIZATIONAL MEETING OF THE ECONOMIC AND SOCIAL COUNCIL {ECOSOC} WILL ACT ON THE RECOMMENDATIONS OF THE GENERAL ASSEMBLY AND THE UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT {UNCED} BY CREATING A FUNCTIONAL COMMISSION ON SUSTAINABLE DEVELOPMENT. ECOSOC WILL SELECT THE MEMBERS OF THE COMMISSION AND ADOPT ITS RULES OF PROCEDURE, INCLUDING THE DETERMINATION OF VENUE. U.S. OBJECTIVES FOR THE MEETING ARE: {1} TO CONVEY U.S. INTENT TO PLAY A LEADERSHIP ROLE IN THE WORK OF THE COMMISSION; {2} TO ENSURE THAT THE U.S. IS SELECTED FOR A SEAT ON THE COMMISSION; {3} TO ENSURE THAT NON-GOVERNMENTAL ORGANIZATIONS ARE ALLOWED TO PARTICIPATE ACTIVELY IN THE WORK OF THE COMMISSION, IN ACCORDANCE WITH THE PRACTICE IN UNCED; {4} TO OBTAIN AGREEMENT ON NEW YORK AS THE VENUE FOR REGULAR MEETINGS OF

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THE COMMISSION; {5} TO REACH AGREEMENT ON SUITABLE PROVISIONS FOR ACTIVE PARTICIPATION BY THE EUROPEAN ECONOMIC COMMUNITY IN THE WORK OF THE COMMISSION. END SUMMARY; AND {6} TO ACHIEVE THESE MEASURES WITHOUT NEEDLESSLY COMPLICATED OR TENDENTIOUS EFFORTS TO AMEND EXISTING ECOSOC RULES. END SUMMARY.

GENERAL ASSEMBLY ACTIONS

3. RESPONDING TO A RECOMMENDATION FROM THE UN CONFERENCE ON ENVIRONMENT AND DEVELOPMENT {UNCED}, ON DECEMBER 22, 1992 THE UN GENERAL ASSEMBLY ADOPTED RESOLUTION 47/191, REQUESTING THE UN ECONOMIC AND SOCIAL COUNCIL {ECOSOC} TO SET UP A FUNCTIONAL COMMISSION ON SUSTAINABLE DEVELOPMENT AS THE INSTITUTIONAL MECHANISM IN THE UN FOR FOLLOWING UP THE RESULTS OF UNCED. THE COMMISSION ON SUSTAINABLE DEVELOPMENT {CSD} WILL CONSIST OF 53 MEMBERS {ONE LESS THAN ECOSOC, THE PARENT BODY} ELECTED BY ECOSOC FROM THE MEMBERS OF THE UN AND ITS SPECIALIZED AGENCIES. THE DISTRIBUTION OF SEATS IS EXPECTED TO PARALLEL THAT OF THE COMMISSION ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT: 13 FROM AFRICA, 11 FROM ASIA, 10 FROM LATIN AMERICA AND THE CARIBBEAN, 6 FROM EASTERN EUROPE, AND 13 FROM WESTERN EUROPE AND OTHER STATES {INCLUDING THE U.S., CANADA, AUSTRALIA AND NEW ZEALAND}.

NEXT STEPS

4. AT ITS ORGANIZATIONAL SESSION IN NEW YORK FEBRUARY 2-5, ECOSOC WILL SELECT THE MEMBERS OF THE CSD AND DECIDE ON ITS RULES OF PROCEDURE. THE PRINCIPAL OUTSTANDING ISSUES INCLUDE: THE VENUE FOR CSD MEETINGS, THE ROLE OF THE EUROPEAN ECONOMIC COMMUNITY {EEC} IN THE CSD, AND THE PARTICIPATION OF APPROPRIATE NON-GOVERNMENTAL ORGANIZATIONS {NGOS} IN THE WORK OF THE CSD. IN ADDITION, BY THE END OF FEBRUARY OR THE BEGINNING OF MARCH THE NEWLY FORMED CSD SHOULD MEET IN A BRIEF ORGANIZING SESSION OF ITS OWN TO CONSIDER ITS PROGRAM OF WORK AND SCHEDULE ITS FIRST SUBSTANTIVE SESSION OF TWO OR THREE WEEKS DURATION. THE SUBSTANTIVE MEETING SHOULD TAKE PLACE BY THE MIDDLE OF THE YEAR, IF FEASIBLE, BUT NO LATER THAN AUGUST.

U.S. VIEWS

5. THE U.S. PLAYED A LEADING ROLE IN STIMULATING AND SHAPING THE DISCUSSIONS THAT LED TO THE FORMATION OF THE CSD, AND WE PLAN TO PLAY AN ACTIVE ROLE AS ONE OF ITS MEMBERS. IN THE CONTEXT OF THE PRESIDENT'S EMPHASIS ON THE USE OF THE UN FOR INTERNATIONAL COOPERATION, INCLUDING INTERNATIONAL ECONOMIC DEVELOPMENT AND ENVIRONMENTAL PROTECTION, THE SECRETARY UNDERLINED IN HIS CONFIRMATION HEARINGS THE IMPORTANCE THE ADMINISTRATION ATTACHES TO PROMOTING SUSTAINABLE DEVELOPMENT -- AND TO U.S. LEADERSHIP IN THIS AREA. WE WISH TO MAKE CLEAR U.S. INTEREST IN MEMBERSHIP ON THE CSD, WHILE AVOIDING BILATERAL "DEALS" ON MUTUAL SUPPORT FOR CANDIDACIES. IT IS U.S. POLICY TO ENCOURAGE CONSENSUS IN THE REGIONAL GROUPS ON THE CANDIDATES TO FILL THE SEATS ALLOTTED TO EACH GROUP; IF CONSENSUS FAILS AND AN ELECTION MUST BE HELD, THE U.S. CUSTOMARILY REFRAINS FROM REVEALING HOW IT PLANS TO CAST ITS VOTES.

6. AS TO ISSUES OF VENUE, EEC PARTICIPATION, AND NGO INVOLVEMENT, THE U.S. BELIEVES THAT THE EXISTING RULES OF PROCEDURE FOR ECOSOC FUNCTIONAL COMMISSIONS, ACCOMPANIED BY APPROPRIATE ACTION BY ECOSOC OR THE SYG, INCLUDING INTERPRETATIVE STATEMENTS, ARE FULLY ADEQUATE TO THE TASK OF ADDRESSING THESE AND OTHER MATTERS RELATING TO THE OPERATION OF THE CSD.

{A} WHILE THE U.S. SUPPORTED GENEVA AS THE SITE FOR THE CSD STAFF AND THE LOCUS FOR CSD MEETINGS, WE ACCEPT THE SECRETARY GENERAL'S DECISION TO LOCATE THE STAFF AT UN HEADQUARTERS IN NEW YORK, AND FAVOR HOLDING MOST OF THE CSD'S MEETINGS THERE IN THE INTEREST OF ADMINISTRATIVE EFFICIENCY.

{B} THE EEC SHOULD PARTICIPATE ACTIVELY IN THE COMMISSION'S DELIBERATIONS ON ALL MATTERS WITHIN ITS COMPETENCE, BUT WITHOUT THE RIGHT TO VOTE OR TO TAKE PRECEDENCE OVER UN MEMBER STATES IN THE DISCUSSIONS, SINCE THE EEC IS NOT A SOVEREIGN STATE. {SPECIAL CONSIDERATIONS APPLY FOR CERTAIN SITUATIONS, SUCH AS THE FOOD AND AGRICULTURAL ORGANIZATION, A UN SPECIALIZED AGENCY DEALING WITH MATTERS IN WHICH THE EEC HAS BROAD LEGAL AUTHORITY UNDER THE COMMON AGRICULTURAL POLICY; THE U.S. DOES NOT CONSIDER THIS RELEVANT AS A PRECEDENT FOR CENTRAL UN ORGANIZATIONS, SUCH AS ECOSOC AND ITS SUBSIDIARIES}.

{C} THE U.S. SUPPORTS THE EFFECTIVE PARTICIPATION OF

RELEVANT AND COMPETENT NGOS IN THE COMMISSION'S WORK, AND BELIEVES THIS CAN BE ACCOMPLISHED BY FLEXIBLE ADAPTATION OF EXISTING CONSULTATIVE ARRANGEMENTS FOR NGOS, APPLIED IN LIGHT OF THE UNCED EXPERIENCE. THE U.S. SEES NO NEED AND WOULD OPPOSE EFFORTS TO AMEND THE RULES OF ECOSOC EITHER FOR THE CSD OR, MORE GENERALLY, FOR ALL FUNCTIONAL COMMISSIONS OF ECOSOC. INDEED, ANY PROPOSAL GENERALLY TO AMEND ECOSOC RULES WOULD NEEDLESSLY COMPLICATE EFFORTS TO GET THE CSD OFF THE GROUND, AND WOULD IMPLICATE THE INTERESTS OF OTHER COMMISSIONS AND THE VARIOUS NGOS ACCREDITED TO PARTICIPATE IN THEIR WORK.

7. THE WORK PROGRAM FOR THE CSD WILL BE DEVELOPED AS A MULTIYEAR EFFORT TO REVIEW IMPLEMENTATION OF THE RESULTS OF UNCED, ESPECIALLY AGENDA 21. DEVELOPING COUNTRIES WILL TRY TO FOCUS THE CSD PRIMARILY ON THE ISSUES OF FINANCING AND TECHNOLOGY TRANSFER AS THE MEANS TO CARRY OUT UNCED'S RESULTS; CAPACITY BUILDING FOR ENVIRONMENTAL AND DEVELOPMENTAL PLANNING AND PROGRAMS WILL BE A STRONG ADDITIONAL INTEREST. THE U.S. SEES THE CSD AS PRIMARILY ADDRESSING NATIONAL AND MULTILATERAL IMPLEMENTATION OF AGENDA 21, THE EXTENSIVE SET OF GUIDELINES AND RECOMMENDATIONS FOR ACTION WHICH UNCED PRODUCED; FINANCE AND TECHNOLOGY ARE INCLUDED AS IMPORTANT ELEMENTS OF THE TOTAL PACKAGE, BUT SHOULD NOT BE THE NEARLY EXCLUSIVE CENTERS OF ATTENTION. THE CSD SHOULD ACCORDINGLY FOCUS ITS DELIBERATIONS ON THE EXCHANGE OF INFORMATION FROM MEMBER STATES ON NATIONAL PLANS AND EXPERIENCES IN IMPLEMENTING AGENDA 21; A NECESSARY COROLLARY WOULD BE THE REVIEW OF THE UN SYSTEM'S RESPONSE TO UNCED. THE UN SECRETARIAT HAS BEEN TASKED WITH PRESENTING SOME SUGGESTIONS REGARDING THE CSD WORK PROGRAM FOR CONSIDERATION AT THE ORGANIZING MEETING OF THE CSD.

REQUEST FOR DEMARCHE

8. ADDRESSEES ARE REQUESTED TO CONVEY U.S. INTEREST IN MEMBERSHIP ON THE CSD, AND U.S. THINKING ON PROVISIONS FOR ITS OPERATION AND WORK PROGRAM, TO HOST GOVERNMENTS (MOST OF WHOM ARE ECOSOC MEMBERS) AT THE HIGHEST APPROPRIATE LEVEL. USUN IS REQUESTED TO CONVEY U.S. VIEWS TO RELEVANT MISSIONS IN NEW YORK; OTHER IO POSTS MAY APPRISE OTHER MISSIONS AND OFFICIALS OF UN BODIES OF U.S. POSITIONS, AS APPROPRIATE. TALKING POINTS ARE PROVIDED BELOW FOR THIS PURPOSE. DEPARTMENT REGRETS THAT TIME DOES NOT PERMIT

PREPARATION AND TRANSMISSION OF FRENCH AND SPANISH TEXTS;
AT POSTS WHERE THIS WILL CREATE DIFFICULTIES, DEPARTMENT
REQUESTS THAT GIST OF U.S. POSITION BE CONVEYED ORALLY TO
THE EXTENT POSSIBLE.

BEGIN TALKING POINTS

PURSuing SUSTAINABLE DEVELOPMENT

--THROUGHOUT THE UNCED PREPARATORY PROCESS AND AT UNCED
ITSELF, THE U.S. PLAYED A LEADING ROLE IN STIMULATING AND
HELPING TO SHAPE THE DISCUSSIONS WHICH HAVE LED TO
FORMATION OF THE ECOSOC COMMISSION ON SUSTAINABLE
DEVELOPMENT {CSD}.

--IN THE AFTERMATH OF UNCED, AS WE EMBARK UPON THE ROAD
FROM RIO, PRESIDENT CLINTON HAS UNDERLINED THE IMPORTANCE
HIS ADMINISTRATION WILL PLACE ON INTERNATIONAL COOPERATION
THROUGH THE UNITED NATIONS, INCLUDING COOPERATION ON
INTERNATIONAL ECONOMIC DEVELOPMENT AND ENVIRONMENTAL
PROTECTION.

--SECRETARY OF STATE CHRISTOPHER, IN HIS CONFIRMATION
HEARINGS BEFORE CONGRESS, HIGHLIGHTED THE IMPORTANCE THE
ADMINISTRATION ATTACHES TO THE CONCEPT OF SUSTAINABLE
DEVELOPMENT, AND THE INTENTION OF THE U.S. TO PROVIDE
LEADERSHIP AND SUPPORT IN THIS AREA.

CSD MEMBERSHIP

--THE UNITED STATES ACCORDINGLY LOOKS FORWARD TO FULL AND
ACTIVE PARTICIPATION AS A MEMBER OF THE COMMISSION ON
SUSTAINABLE DEVELOPMENT.

{NOTE: IF ASKED TO PROVIDE RECIPROCAL SUPPORT FOR HOST
GOVERNMENT'S CANDIDACY FOR CSD MEMBERSHIP, EMBASSY OR
MISSION OFFICERS SHOULD SIMPLY NOTE THAT IT IS THE
CUSTOMARY PRACTICE OF THE U.S. TO DEFER ITS DECISIONS ON
SUPPORT OF CANDIDATES FOR UN BODIES UNTIL IT HAS THE
BENEFIT OF THE VIEWS OF THE REGIONAL GROUP CONCERNED. END
NOTE.}

--THE ORGANIZATIONAL SESSION OF ECOSOC IN NEW YORK FROM
FEBRUARY 2 TO 5 WILL SELECT THE MEMBERS OF THE CSD AND
APPROVE THE RULES OF PROCEDURE.

--THE U.S. IS HOPEFUL OF CONSENSUS IN ALL THE REGIONAL GROUPS ON THE CANDIDATES TO FILL THE SEATS ALLOCATED TO EACH.

--FOR THE CSD ITSELF, THE U.S. IS INTERESTED IN ENSURING THE ACTIVE PARTICIPATION OF NON-GOVERNMENTAL ORGANIZATIONS {NGOS}, PARTICIPATION BY THE EUROPEAN ECONOMIC COMMUNITY {EEC} IN AREAS WITHIN ITS COMPETENCE {BUT WITHOUT THE RIGHT TO VOTE OR TO TAKE PRECEDENCE OVER CSD MEMBER OR OBSERVER STATES IN DELIBERATIONS}, AND USE OF NEW YORK AS THE REGULAR VENUE FOR MEETINGS.

CSD OPERATIONS

--REGARDING THE CSD'S OPERATIONS, THE U.S. BELIEVES THAT THE EXISTING RULES FOR ECOSOC FUNCTIONAL COMMISSIONS {IN UN DOCUMENT E/5975/REV.1} ARE ADEQUATE FOR THE CSD'S NEEDS IN ITS INITIAL STAGE, IF APPLIED FLEXIBLY.

--THE U.S. SEES NO NEED TO AMEND THE EXISTING RULES EITHER FOR THE CSD, OR FOR ALL FUNCTIONAL COMMISSIONS OF ECOSOC; ANY SUCH EFFORTS WOULD NEEDLESSLY COMPLICATE EFFORTS TO GET THE CSD LAUNCHED.

--FOR EXAMPLE, RULE 1 PROVIDES FOR BIENNIAL SESSIONS OF THE COMMISSION, BUT ALSO CONTAINS AN EXCEPTION FOR A DIFFERENT DECISION BY ECOSOC, THEREBY MAKING IT POSSIBLE TO HOLD ANNUAL MEETINGS BY SIMPLE DECISION OF ECOSOC WITHOUT CHANGING THE RULE.

CSD VENUE

--SIMILARLY, RULE 3'S PROVISION FOR SESSIONS AT UN HEADQUARTERS UNLESS ECOSOC SPECIFICALLY DECIDES OTHERWISE IS FULLY IN ACCORD WITH THE VIEWS OF THE MAJORITY OF UN MEMBERS, AS EXPRESSED DURING THE DISCUSSION ON UNCED FOLLOW-UP AT THE 47TH SESSION OF THE GENERAL ASSEMBLY LAST FALL.

--WHILE THE U.S. ORIGINALLY SUPPORTED GENEVA AS THE SITE FOR THE CSD, THE U.S. ACCEPTS THE SECRETARY GENERAL'S DECISION TO BASE THE STAFF FOR THE CSD IN NEW YORK AS PART OF HIS OVERALL REORGANIZATION PLANS.

--THE U.S. STRONGLY SUPPORTS THE VIEW THAT MOST MEETINGS OF THE CSD SHOULD TAKE PLACE WHERE THE STAFF IS LOCATED,

IN THE INTEREST OF ADMINISTRATIVE EFFICIENCY.

--OCCASIONAL MEETINGS IN GENEVA MAY BE DESIRABLE, AND WOULD BE POSSIBLE UPON A SPECIFIC DECISION OF ECOSOC UNDER RULE 3.

CSD OFFICERS; RULE CHANGES

--ON ANOTHER MATTER, RULE 15 PROVIDES FOR ELECTION OF OFFICERS OF THE CSD AT EACH OF ITS SESSIONS; EXPERIENCE MAY DICTATE THAT OFFICERS SHOULD BE ELECTED FOR LONGER PERIODS, BUT THIS SHOULD BE LEFT FOR LATER DETERMINATION AFTER THE COMMISSION HAS AN INITIAL OR TRIAL PERIOD OF OPERATION.

--SIMILARLY, OTHER CHANGES IN THE RULES WHICH EXPERIENCE MAY PROVE TO BE DESIRABLE SHOULD AWAIT COMPLETION OF AN INITIAL PHASE OF OPERATION, WITH PERHAPS EXPLICIT ECOSOC AUTHORIZATION TO SUBMIT RECOMMENDATIONS FOR MODIFICATIONS TO THE RULES AFTER {FOR EXAMPLE} TWO YEARS OF COMMISSION ACTIVITY.

EEC PARTICIPATION

--RULE 74 PROVIDES THAT APPROPRIATE INTERGOVERNMENTAL ORGANIZATIONS MAY PARTICIPATE, WITHOUT THE RIGHT TO VOTE, IN THE DELIBERATIONS OF THE COMMISSION ON QUESTIONS WITHIN THE SCOPE OF THE ACTIVITIES OF THE ORGANIZATIONS.

--THIS APPEARS ADEQUATE TO ENSURE THAT THE EUROPEAN ECONOMIC COMMUNITY {EEC} WILL BE ABLE TO PARTICIPATE IN THE WORK OF THE CSD ON MATTERS WITHIN ITS COMPETENCE.

--IF DEEMED NECESSARY OR APPROPRIATE, AN INTERPRETATIVE STATEMENT OF RULE 74 COULD BE MADE OR ADOPTED BY ECOSOC FURTHER CLARIFYING THE APPLICATION OF RULE 74 TO THE EEC.

NGO INVOLVEMENT

--THE U.S. STRONGLY SUPPORTS THE BROAD CONSENSUS THAT NGO CONTRIBUTIONS TO THE UNCED PROCESS WERE VALUABLE, AND THAT ADEQUATE PROVISIONS SHOULD BE MADE FOR THEIR EFFECTIVE PARTICIPATION IN THE FOLLOW-UP TO UNCED, ESPECIALLY IN THE WORK OF THE CSD.

--THE EFFECTIVE PARTICIPATION OF RELEVANT AND COMPETENT NGOS IN THE CSD'S WORK CAN BE ENSURED BY FLEXIBLE APPLICATION OF THE EXISTING NGO CONSULTATIVE ARRANGEMENTS, APPLIED IN THE LIGHT OF THE UNCED EXPERIENCE.

--ECOSOC DECISION 1296 {XLIV} PROVIDES THAT ECOSOC, OR THE SECRETARY GENERAL IN CONSULTATION WITH ECOSOC, MAY PLACE APPROPRIATE NGOS ON A LIST KNOWN AS THE ROSTER TO ENABLE THEM TO PARTICIPATE IN THE WORK OF RELEVANT ECOSOC COMMISSIONS.

--ONCE ON THE ROSTER, NGOS MAY:

- RECEIVE THE AGENDA AND DOCUMENTS FOR CSD MEETINGS, UNDER RULE 6;
- HAVE ACCESS TO SUMMARY RECORDS OF THE CSD, UNDER RULE 35;
- RECEIVE DECISIONS AND REPORTS OF THE CSD, UNDER RULE 38;
- ATTEND MEETINGS OF THE CSD, UNDER RULE 75; AND
- BE HEARD BY THE CSD, UNDER RULE 76.

--ECOSOC SHOULD AGREE THAT THE NGOS ACCREDITED TO ATTEND UNCED ARE ALSO AUTHORIZED TO BE PLACED ON THE ROSTER, TO ENABLE THEM TO PARTICIPATE IN THE WORK OF THE CSD; PLACEMENT ON THE ROSTER WOULD BE CONTINGENT UPON AFFIRMATIVE REPLY BY EACH NGO TO NOTIFICATION THAT THEY ARE ELIGIBLE FOR THE ROSTER.

--WE EXPECT THAT APPROPRIATE ACTION BY ECOSOC AND THE SYG WOULD CLEAR THAT NGOS ON THE ROSTER HAVE THE RIGHT TO MAKE WRITTEN SUBMISSIONS TO THE CSD, AS PROVIDED FOR IN PARAGRAPH 30 OF DECISION 1296 {UNDER SUBPARAGRAPH 30{F} OF 1296, THE SECRETARY GENERAL IS AUTHORIZED TO INVITE SUCH SUBMISSIONS}.

--SUCH APPROPRIATE ACTION WOULD ALSO MAKE CLEAR THAT NGO PARTICIPATION IN THE CSD WILL REFLECT PRACTICE UNDER ECOSOC RULES IN LIGHT OF THE UNCED EXPERIENCE, INCLUDING EXPERIENCE UNDER UNCED PREPARATORY COMMITTEE DECISIONS 1/1 AND 2/1.

--SUBSEQUENTLY, PROVISIONS WILL ALSO BE MADE FOR ACCREDITATION OF OTHER NGOS WHO MAY WISH TO BECOME INVOLVED IN THE WORK OF THE CSD; THIS MAY NOT BE DONE IN

TIME FOR THE INITIAL OPERATION OF THE CSD, HOWEVER.

WORK OF THE CSD

--ONE OF THE PRINCIPAL OBJECTIVES OF THE FIRST SUBSTANTIVE MEETING OF THE CSD SHOULD BE THE ELABORATION OF A MULTI-YEAR WORK PROGRAM TO ADDRESS ALL ASPECTS OF UNCED'S RESULTS IN A COMPREHENSIVE MANNER.

--THE SECRETARY GENERAL HAS BEEN ASKED TO PROVIDE PRELIMINARY SUGGESTIONS REGARDING THE CSD WORK PROGRAM IN TIME FOR AN ORGANIZING MEETING OF THE CSD, WHICH HAS YET TO BE SCHEDULED BUT IS EXPECTED TO TAKE PLACE BY THE BEGINNING OF MARCH.

--THE U.S. HOPES TO HAVE SOME THOUGHTS OF ITS OWN READY FOR DISCUSSION IN THE SAME TIME FRAME, AND ENCOURAGES OTHER INTERESTED GOVERNMENTS TO DO THE SAME.

--DISCUSSION OF AND AGREEMENT ON THE CSD'S WORK PROGRAM AT THE FIRST SUBSTANTIVE SESSION WOULD BE GREATLY FACILITATED BY COGENT NATIONAL PRESENTATIONS BY MEMBER STATES ON THEIR PLANS FOR IMPLEMENTATION OF AGENDA 21, BOTH DOMESTICALLY AND INTERNATIONALLY.

--THE U.S. INTENDS TO HAVE ITS PRELIMINARY PLANS FOR IMPLEMENTATION OF AGENDA 21 READY FOR DISCUSSION WITH OTHER GOVERNMENTS AT THE TIME OF THE CSD'S FIRST SUBSTANTIVE MEETING; OTHER MEMBERS OF THE CSD, ESPECIALLY, AND ALSO ANY OTHER INTERESTED STATES SHOULD BE SIMILARLY PREPARED.

--THE U.S. LOOKS FORWARD TO AN INTENSE AND ONGOING DIALOGUE WITH YOUR GOVERNMENT, BOTH HERE AND IN NEW YORK, AS WE WORK TO MAKE THE CSD'S PROMISE A REALITY IN PURSUIT OF SUSTAINABLE DEVELOPMENT WORLD-WIDE.

END TALKING POINTS

END TEXT YY

BERN IMMEDIATE, BRASILIA IMMEDIATE, BRUSSELS IMMEDIATE, BUENOS AIRES IMMEDIATE, CANBERRA IMMEDIATE, COLOMBO IMMEDIATE, CONAKRY IMMEDIATE, COTONOU IMMEDIATE, DAMASCUS IMMEDIATE, DHAKA IMMEDIATE, GABORONE IMMEDIATE, GENEVA IMMEDIATE, KIEV IMMEDIATE, KINSHASA IMMEDIATE, KUALA LUMPUR IMMEDIATE, KUWAIT IMMEDIATE, LAGOS IMMEDIATE, LIMA

IMMEDIATE, LIBREVILLE IMMEDIATE, LOME IMMEDIATE, LONDON
IMMEDIATE, LUANDA IMMEDIATE, MADRID IMMEDIATE, MANAMA
IMMEDIATE, MANILA IMMEDIATE, MBABANE IMMEDIATE, MEXICO
IMMEDIATE, MINSK IMMEDIATE, MOSCOW IMMEDIATE, NAIROBI
IMMEDIATE, NEW DELHI IMMEDIATE, OSLO IMMEDIATE, OTTAWA
IMMEDIATE, PARAMARIBO IMMEDIATE, PARIS IMMEDIATE, PORT OF
SPAIN IMMEDIATE, RABAT IMMEDIATE, ROME IMMEDIATE, SANTIAGO
IMMEDIATE, SEOUL IMMEDIATE, STOCKHOLM IMMEDIATE, THIMBU
IMMEDIATE, TOKYO IMMEDIATE, TRIPOLI IMMEDIATE, VIENNA
IMMEDIATE, USUN NEW YORK IMMEDIATE, WARSAW IMMEDIATE,
WELLINGTON IMMEDIATE

DEPARTMENT OF STATE

AUTH _____ DRAFT _____
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3 _____ 4 _____ 5 _____
6 _____ 7 _____ 8 _____

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EPA: M KINDALL 260-4470
TREAS: M KAPLAN 622-1228

FROM:**IO/T/SCT: JPMCGUINNESS: JPM 647-8902****01/27/93 22752 SETSCT 1399****IO: MKIMBLE****FOR CLEARANCE ASAP**

OES: CBOHLEN OES/E: RREINSTEIN
OES/ENV: ASCHIFFERDECKER/SSKINNEY
C: KVOLKER/DHARWOOD CEQ: PB-GUEST
S/S:

IO/T: JSSPIRO IO/S: JDFOX
L/UNA: BRASHKOW L/OES: DBALTON
EPA/OIA: M KINDALL TREAS: M KAPLAN
S/S-0:

IMMEDIATE ADDIS ABABA, ALGIERS IMMEDIATE, ANKARA IMMEDIATE,
ANTANANARIVO IMMEDIATE, BEIJING IMMEDIATE, BOGOTA IMMEDIATE, BONN+

VIENNA ALSO FOR UNVIE, NAIROBI FOR UNEP REP

E.O. 12356: N/A

TAGS: AORC, SENV, UN

SUBJECT: UNCED FOLLOW-UP: ECOSOC COMMISSION ON
SUSTAINABLE DEVELOPMENT {CSD}

REF: {A} 92 STATE 323823 {B} USUN NEW YORK 342 {NOTAL}

1. THIS IS AN ACTION MESSAGE - SEE PARA 7.

GENERAL ASSEMBLY ACTIONS

2. RESPONDING TO A RECOMMENDATION FROM THE UN CONFERENCE
ON ENVIRONMENT AND DEVELOPMENT {UNCED}, ON DECEMBER 22,
1992 THE UN GENERAL ASSEMBLY ADOPTED RESOLUTION 47/191,
REQUESTING THE UN ECONOMIC AND SOCIAL COUNCIL {ECOSOC} TO
SET UP A FUNCTIONAL COMMISSION ON SUSTAINABLE DEVELOPMENT
AS THE INSTITUTIONAL MECHANISM IN THE UN FOR FOLLOWING UP
THE RESULTS OF UNCED. THE COMMISSION ON SUSTAINABLE
DEVELOPMENT {CSD} WILL CONSIST OF 53 MEMBERS {ONE LESS
THAN ECOSOC, THE PARENT BODY} ELECTED BY ECOSOC FROM THE
MEMBERS OF THE UN AND ITS SPECIALIZED AGENCIES. THE
DISTRIBUTION OF SEATS IS EXPECTED TO PARALLEL THAT OF THE

COMMISSION ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT: 13 FROM AFRICA, 11 FROM ASIA, 10 FROM LATIN AMERICA AND THE CARIBBEAN, 6 FROM EASTERN EUROPE, AND 13 FROM WESTERN EUROPE AND OTHER STATES (INCLUDING THE U.S., CANADA, AUSTRALIA AND NEW ZEALAND).

NEXT STEPS

3. AT ITS ORGANIZATIONAL SESSION IN NEW YORK FEBRUARY 2-5, ECOSOC WILL SELECT THE MEMBERS OF THE CSD AND DECIDE ON ITS RULES OF PROCEDURE. THE PRINCIPAL OUTSTANDING ISSUES INCLUDE: THE VENUE FOR CSD MEETINGS, THE ROLE OF THE EUROPEAN ECONOMIC COMMUNITY (EEC) IN THE CSD, AND THE PARTICIPATION OF APPROPRIATE NON-GOVERNMENTAL ORGANIZATIONS (NGOS) IN THE WORK OF THE CSD. IN ADDITION, BY THE END OF FEBRUARY OR THE BEGINNING OF MARCH THE NEWLY FORMED CSD SHOULD MEET IN A BRIEF ORGANIZING SESSION OF ITS OWN TO CONSIDER ITS PROGRAM OF WORK AND SCHEDULE ITS FIRST SUBSTANTIVE SESSION OF TWO OR THREE WEEKS DURATION. THE SUBSTANTIVE MEETING SHOULD TAKE PLACE BY THE MIDDLE OF THE YEAR, IF FEASIBLE, BUT NO LATER THAN AUGUST.

U.S. VIEWS

4. THE U.S. PLAYED A LEADING ROLE IN STIMULATING AND SHAPING THE DISCUSSIONS THAT LED TO THE FORMATION OF THE CSD, AND WE PLAN TO PLAY AN ACTIVE ROLE AS ONE OF ITS MEMBERS. IN THE CONTEXT OF THE PRESIDENT'S EMPHASIS ON THE USE OF THE UN FOR INTERNATIONAL COOPERATION, INCLUDING INTERNATIONAL ECONOMIC DEVELOPMENT AND ENVIRONMENTAL PROTECTION, THE SECRETARY UNDERLINED IN HIS CONFIRMATION HEARINGS THE IMPORTANCE THE ADMINISTRATION ATTACHES TO PROMOTING SUSTAINABLE DEVELOPMENT -- AND TO U.S. LEADERSHIP IN THIS AREA. WE WISH TO MAKE CLEAR U.S. INTEREST IN MEMBERSHIP ON THE CSD, WHILE AVOIDING BILATERAL "DEALS" ON MUTUAL SUPPORT FOR CANDIDACIES. IT IS U.S. POLICY TO ENCOURAGE CONSENSUS IN THE REGIONAL GROUPS ON THE CANDIDATES TO FILL THE SEATS ALLOTTED TO EACH GROUP; IF CONSENSUS FAILS AND AN ELECTION MUST BE HELD, THE U.S. CUSTOMARILY REFRAINS FROM REVEALING HOW IT PLANS TO CAST ITS VOTES.

5. AS TO ISSUES OF VENUE, EEC PARTICIPATION, AND NGO INVOLVEMENT, THE U.S. BELIEVES THAT THE EXISTING RULES OF

in the initial stage

PROCEDURE FOR ECOSOC FUNCTIONAL COMMISSIONS, ACCOMPANIED BY SUITABLE ECOSOC DECISIONS AND INTERPRETATIVE STATEMENTS, ~~ARE FULLY ADEQUATE~~ TO THE TASK OF ADDRESSING THESE AND OTHER MATTERS RELATING TO THE OPERATION OF THE CSD. WHILE THE U.S. SUPPORTED GENEVA AS THE SITE FOR THE CSD STAFF AND THE LOCUS FOR CSD MEETINGS, WE ACCEPT THE SECRETARY GENERAL'S DECISION TO LOCATE THE STAFF AT UN HEADQUARTERS IN NEW YORK, AND FAVOR HOLDING MOST OF THE CSD'S MEETINGS THERE IN THE INTEREST OF ADMINISTRATIVE EFFICIENCY. THE EEC SHOULD PARTICIPATE ACTIVELY IN THE COMMISSION'S DELIBERATIONS ON ALL MATTERS WITHIN ITS COMPETENCE, BUT WITHOUT THE RIGHT TO VOTE OR TO TAKE PRECEDENCE OVER UN MEMBER STATES IN THE DISCUSSIONS, SINCE THE EEC IS NOT A SOVEREIGN STATE. THE U.S. SUPPORTS THE FULLEST APPROPRIATE INVOLVEMENT OF RELEVANT AND COMPETENT NGOS IN THE COMMISSION'S WORK, AND BELIEVES THIS CAN BE ACCOMPLISHED BY FLEXIBLE ADAPTATION OF EXISTING CONSULTATIVE ARRANGEMENTS FOR NGOS, APPLIED ON THE BASIS OF THE UNCED EXPERIENCE.

6. THE WORK PROGRAM FOR THE CSD WILL BE DEVELOPED AS A MULTIYEAR EFFORT TO REVIEW IMPLEMENTATION OF THE RESULTS OF UNCED, ESPECIALLY AGENDA 21. DEVELOPING COUNTRIES WILL TRY TO FOCUS THE CSD PRIMARILY ON THE ISSUES OF FINANCING AND TECHNOLOGY TRANSFER AS THE MEANS TO CARRY OUT UNCED'S RESULTS; CAPACITY BUILDING FOR ENVIRONMENTAL AND DEVELOPMENTAL PLANNING AND PROGRAMS WILL BE A STRONG ADDITIONAL INTEREST. THE U.S. SEES THE CSD AS PRIMARILY ADDRESSING NATIONAL AND MULTILATERAL IMPLEMENTATION OF AGENDA 21, THE EXTENSIVE SET OF GUIDELINES AND RECOMMENDATIONS FOR ACTION WHICH UNCED PRODUCED; FINANCE AND TECHNOLOGY ARE INCLUDED AS IMPORTANT ELEMENTS OF THE TOTAL PACKAGE, BUT SHOULD NOT BE THE NEARLY EXCLUSIVE CENTERS OF ATTENTION. THE CSD SHOULD ACCORDINGLY FOCUS ITS DELIBERATIONS ON THE EXCHANGE OF INFORMATION FROM MEMBER STATES ON NATIONAL PLANS AND EXPERIENCES IN IMPLEMENTING AGENDA 21; A NECESSARY COROLLARY WOULD BE THE REVIEW OF THE UN SYSTEM'S RESPONSE TO UNCED. THE UN SECRETARIAT HAS BEEN TASKED WITH PRESENTING SOME SUGGESTIONS REGARDING THE CSD WORK PROGRAM FOR CONSIDERATION AT THE ORGANIZING MEETING OF THE CSD.

REQUEST FOR DEMARCHE

7. AMBASSADOR AND/OR EST COUNSELOR ARE REQUESTED TO

CONVEY U.S. INTEREST IN MEMBERSHIP ON THE CSD, AND U.S. THINKING ON PROVISIONS FOR ITS OPERATION AND WORK PROGRAM, TO HOST GOVERNMENTS (MOST OF WHOM ARE ECOSOC MEMBERS) AT THE HIGHEST APPROPRIATE LEVEL. USUN IS REQUESTED TO CONVEY U.S. VIEWS TO RELEVANT MISSIONS IN NEW YORK; OTHER IO POSTS MAY APPRISE OTHER MISSIONS AND OFFICIALS OF UN BODIES OF U.S. POSITIONS, AS APPROPRIATE. TALKING POINTS ARE PROVIDED BELOW FOR THIS PURPOSE. DEPARTMENT REGRETS THAT TIME DOES NOT PERMIT PREPARATION AND TRANSMISSION OF FRENCH AND SPANISH TEXTS; AT POSTS WHERE THIS WILL CREATE DIFFICULTIES, DEPARTMENT REQUESTS THAT GIST OF U.S. POSITION BE CONVEYED ORALLY TO THE EXTENT POSSIBLE.

BEGIN TALKING POINTS

--THROUGHOUT THE UNCED PREPARATORY PROCESS AND AT UNCED ITSELF, THE U.S. PLAYED A LEADING ROLE IN STIMULATING AND HELPING TO SHAPE THE DISCUSSIONS WHICH HAVE LED TO FORMATION OF THE ECOSOC COMMISSION ON SUSTAINABLE DEVELOPMENT.

--IN THE AFTERMATH OF UNCED, AS WE EMBARK UPON THE ROAD FROM RIO, PRESIDENT CLINTON HAS UNDERLINED THE IMPORTANCE HIS ADMINISTRATION WILL PLACE ON INTERNATIONAL COOPERATION THROUGH THE UNITED NATIONS, INCLUDING COOPERATION ON INTERNATIONAL ECONOMIC DEVELOPMENT AND ENVIRONMENTAL PROTECTION.

--SECRETARY OF STATE CHRISTOPHER, IN HIS CONFIRMATION HEARINGS BEFORE CONGRESS, HIGHLIGHTED THE IMPORTANCE THE ADMINISTRATION ATTACHES TO THE CONCEPT OF SUSTAINABLE DEVELOPMENT, AND THE INTENTION OF THE U.S. TO PROVIDE LEADERSHIP AND SUPPORT IN THIS AREA.

--THE UNITED STATES ACCORDINGLY LOOKS FORWARD TO FULL AND ACTIVE PARTICIPATION AS A MEMBER OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT.

{NOTE: IF ASKED TO PROVIDE RECIPROCAL SUPPORT FOR HOST GOVERNMENT'S CANDIDACY FOR CSD MEMBERSHIP, AMBASSADOR OR EST COUNSELOR SHOULD SIMPLY NOTE THAT IT IS THE CUSTOMARY PRACTICE OF THE U.S. TO DEFER ITS DECISIONS ON SUPPORT OF CANDIDATES FOR UN BODIES UNTIL IT HAS THE BENEFIT OF THE VIEWS OF THE REGIONAL GROUP CONCERNED. END NOTE.}

--THE ORGANIZATIONAL SESSION OF ECOSOC IN NEW YORK FROM FEBRUARY 2 TO 5 WILL SELECT THE MEMBERS OF THE CSD AND APPROVE THE RULES OF PROCEDURE.

--THE U.S. IS HOPEFUL OF CONSENSUS IN ALL THE REGIONAL GROUPS ON THE CANDIDATES TO FILL THE SEATS ALLOCATED TO EACH.

--AS TO THE CSD'S RULES OF PROCEDURE, THE U.S. BELIEVES THAT THE EXISTING RULES FOR ECOSOC FUNCTIONAL COMMISSIONS (IN UN DOCUMENT E/5975/REV.1) ARE FULLY ADEQUATE FOR THE CSD'S NEEDS, ~~AT LEAST~~ IN ITS INITIAL STAGE, IF THEIR ADOPTION IS ACCOMPANIED BY APPROPRIATE ECOSOC DECISIONS AND INTERPRETATIVE STATEMENTS.

--FOR EXAMPLE, RULE 1 PROVIDES FOR BIENNIAL SESSIONS OF THE COMMISSION, BUT ALSO CONTAINS AN EXCEPTION FOR A DIFFERENT DECISION BY ECOSOC, THEREBY MAKING IT POSSIBLE TO HOLD ANNUAL MEETINGS BY SIMPLE DECISION OF ECOSOC WITHOUT CHANGING THE RULE.

--SIMILARLY, RULE 3'S PROVISION FOR SESSIONS AT UN HEADQUARTERS UNLESS ECOSOC SPECIFICALLY DECIDED OTHERWISE IS FULLY IN ACCORD WITH THE VIEWS OF THE MAJORITY OF UN MEMBERS, AS EXPRESSED DURING THE DISCUSSION ON UNCED FOLLOW-UP AT THE 47TH SESSION OF THE GENERAL ASSEMBLY LAST FALL.

--WHILE THE U.S. ORIGINALLY SUPPORTED GENEVA AS THE SITE FOR THE CSD, THE U.S. ACCEPTS THE SECRETARY GENERAL'S DECISION TO BASE THE STAFF FOR THE CSD IN NEW YORK AS PART OF HIS OVERALL REORGANIZATION PLANS.

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--SIMILARLY, OTHER CHANGES IN THE RULES WHICH EXPERIENCE MAY PROVE TO BE DESIRABLE SHOULD AWAIT COMPLETION OF AN INITIAL PHASE OF OPERATION, WITH PERHAPS EXPLICIT ECOSOC

6

AUTHORIZATION TO SUBMIT RECOMMENDATIONS FOR MODIFICATIONS TO THE RULES AFTER (FOR EXAMPLE) TWO YEARS OF COMMISSION ACTIVITY.

EEC PARTICIPATION

--RULE 74 PROVIDES THAT APPROPRIATE INTERGOVERNMENTAL ORGANIZATIONS MAY PARTICIPATE, WITHOUT THE RIGHT TO VOTE, IN THE DELIBERATIONS OF THE COMMISSION ON QUESTIONS WITHIN THE SCOPE OF THE ACTIVITIES OF THE ORGANIZATIONS.

--THIS APPEARS ADEQUATE TO ENSURE THAT THE EUROPEAN ECONOMIC COMMUNITY (EEC) WILL BE ABLE TO PARTICIPATE IN THE WORK OF THE CSD ON MATTERS WITHIN ITS COMPETENCE.

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--THE FULLEST APPROPRIATE INVOLVEMENT OF RELEVANT AND COMPETENT NGOS IN THE CSD'S WORK CAN BE ENSURED BY FLEXIBLE ADAPTATION OF THE EXISTING NGO CONSULTATIVE ARRANGEMENTS, APPLIED IN THE LIGHT OF THE UNCED EXPERIENCE.

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- RECEIVE DECISIONS AND REPORTS OF THE CSD, UNDER RULE 38;
- ATTEND MEETINGS OF THE CSD, UNDER RULE 75; AND
- BE HEARD BY THE CSD, UNDER RULE 76.

--ECOSOC SHOULD AGREE THAT THE NGOS ACCREDITED TO ATTEND UNCED ARE ALSO AUTHORIZED TO BE PLACED ON THE ROSTER, TO ENABLE THEM TO BECOME INVOLVED IN THE CSD; PLACEMENT ON THE ROSTER WOULD BE CONTINGENT UPON AFFIRMATIVE REPLY BY EACH NGO TO NOTIFICATION THAT THEY ARE ELIGIBLE FOR THE ROSTER.

--ECOSOC SHOULD ALSO ADOPT AN APPROPRIATE INTERPRETATIVE STATEMENT MAKING CLEAR THAT NGOS ON THE ROSTER HAVE THE RIGHT TO MAKE WRITTEN SUBMISSIONS TO THE CSD, AS PROVIDED FOR IN PARAGRAPH 30 OF DECISION 1296; UNDER SUBPARAGRAPH 30(F) OF 1296, THE SECRETARY GENERAL IS AUTHORIZED TO INVITE SUCH SUBMISSIONS, AND ECOSOC SHOULD AGREE WITH OR ENCOURAGE SUCH AN INVITATION.

--AN ECOSOC INTERPRETATIVE STATEMENT SHOULD ALSO MAKE CLEAR THAT NGO INVOLVEMENT IN THE CSD WILL PROCEED ALONG THE LINES OF THE RELEVANT SPECIFICATIONS IN UNCED PREPARATORY COMMITTEE DECISIONS 1/1 AND 2/1.

--SUBSEQUENTLY, PROVISIONS SHOULD BE WORKED OUT BY THE CSD AND APPROVED BY ECOSOC FOR ACCREDITATION OF OTHER NGOS WHO MAY WISH TO BECOME INVOLVED IN THE WORK OF THE CSD; THIS COULD NOT BE DONE IN TIME FOR THE INITIAL OPERATION OF THE CSD, HOWEVER.

WORK OF THE CSD

--ONE OF THE PRINCIPAL OBJECTIVES OF THE FIRST SUBSTANTIVE MEETING OF THE CSD SHOULD BE THE ELABORATION OF A MULTI-YEAR WORK PROGRAM TO ADDRESS ALL ASPECTS OF UNCED'S RESULTS IN A COMPREHENSIVE MANNER.

--THE SECRETARY GENERAL HAS BEEN ASKED TO PROVIDE PRELIMINARY SUGGESTIONS REGARDING THE CSD WORK PROGRAM IN TIME FOR AN ORGANIZING MEETING OF THE CSD, WHICH HAS YET TO BE SCHEDULED BUT IS EXPECTED TO TAKE PLACE BY THE BEGINNING OF MARCH.

--THE U.S. HOPES TO HAVE SOME THOUGHTS OF ITS OWN READY FOR DISCUSSION IN THE SAME TIME FRAME, AND ENCOURAGES

*for purposes
of CSD all
NGOs to be
treated equally
regardless of
categories*

OTHER INTERESTED GOVERNMENTS TO DO THE SAME.

--DISCUSSION OF AND AGREEMENT ON THE CSD'S WORK PROGRAM AT THE FIRST SUBTANTIVE SESSION WOULD BE GREATLY FACILITATED BY COGENT NATIONAL PRESENTATIONS BY MEMBER STATES ON THEIR PLANS FOR IMPLEMENTATION OF AGENDA 21, BOTH DOMESTICALLY AND INTERNATIONALLY.

--THE U.S. INTENDS TO HAVE ITS PRELIMINARY PLANS FOR IMPLEMENTATION OF AGENDA 21 READY FOR DISCUSSION WITH OTHER GOVERNMENTS AT THE TIME OF THE CSD'S FIRST SUBSTANTIVE MEETING; OTHER MEMBERS OF THE CSD, ESPECIALLY, AND ALSO ANY OTHER INTERESTED STATES SHOULD BE SIMILARLY PREPARED. YY

FAX MESSAGE

DATE

2/1/93

TO:

Katie McGinty

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Pages to follow

3

Instructions for US Delegation
to ECOSOC Organizational Session,
Feb 2-5, New York (draft)

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ECOSOC Organizational Session
February 2-5, 1993
New York

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ISSUE:

Adoption of rules of procedure for the Commission on sustainable Development (CSD).

DOCUMENT:

E/1993/___, Report of the Secretary General on Rules of Procedure for the CSD (Tab A).

U.S. Position:

-- The existing rules of procedure for ECOSOC functional commissions should be adopted without amendment.

-- Interpretative statements should be adopted by ECOSOC to clarify the application of the rules in regard to:

the role of NGOs in the work of the CSD;

the role of the European Economic Community (EEC) in the work of the CSD;

--As a fallback, we could accept the SyG's proposed rule for EEC participation subject deletion of the work "fully" and an interpretation placed upon the rule in the report of the ECOSOC session.

-- The existing rules adequately address the issue of the venue for meetings of the CSD.

DISCUSSION

The U.S. favors flexible application of existing ECOSOC rules of procedure to ensure the effective participation of NGOs and the EEC in its areas of competence, and to address other matters pertaining to the operation of the CSD, including the regular venue for its meetings. In the U.S.'s view, agreement on procedures for the CSD will be accomplished more rapidly if existing arrangements can be used, avoiding the controversy associated with amendments and the implications of such changes for ECOSOC and its other functional commissions. Expedient agreement on procedures should facilitate an early start on the CSD's substantive activities, which should center around stimulating and sustaining an intensive, ongoing intergovernmental dialogue on the national and multilateral implementation of Agenda 21.

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NGO Role

sur The U.S. wants to ensure the effective participation of relevant and competent NGOs in the CSD's work, preserving the relevant practice that prevailed in the UNCED preparatory process. Specifically, the U.S. wants all UNCED-accredited NGOs to have the right to participate in the CSD's work within the existing ECOSOC framework for consultation, applied in the light of the UNCED experience, including decisions 1/1 and 2/1 of the UNCED Preparatory Committee.

The delegation should seek to make clear that the rule for NGO participation is not an amendment of existing rules 75 and 76, but rather an application of those rules to the CSD. Accordingly, the U.S. delegation should oppose the footnote proposed in paragraph 21 of the report as unnecessary and, in any case, misleading. If a footnote is inevitable, it should be reversed by deleting the word "not" at the beginning of the note, the word "under" should be substituted for the words "for which," and the word "were" should be deleted. These changes would make the footnote consistent in approach with the footnote proposed by the SyG in connection with Rule 74, which leaves aside the question of whether Rule 74 has been amended or simply applied to the CSD (see below).

Paragraphs 14-18 of the Secretary General's report would generally accomplish this, and the U.S. accordingly could support the decision proposed in paragraph 20. Thus, an essential accompaniment is the proposed ECOSOC decision, in paragraph 17 of the Secretary General's report, to place all UNCED-accredited NGO's which so desire on the ECOSOC Roster. Both these measures must be taken to achieve the intended purpose of effective NGO participation.

We could propose, however, that accreditation under the UNCED criteria be reviewed and revised after some initial operation of the CSD, perhaps after a two-year period. The proposal would call for recertification of NGOs accredited at that time.

The question of reviewing and possibly updating the entirety of ECOSOC consultative procedures, for ECOSOC itself and all of its subsidiary bodies, should be addressed separately. The U.S. would have great reservations about hasty adoption of any measures that would have precedential significance beyond the CSD.

Additional background information is contained in Tab B, a (draft) U.S. paper on NGOs and the CSD, and Tab C, State 27249, containing U.S. views on the formation of the CSD.

EEC Role

Appropriate action by ECOSOC should ensure that the EEC is able to participate in the CSD within its areas of competence.

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The statement proposed in paragraph 11 of the Secretary General's report is not acceptable to the U.S. The U.S. would support a statement such as the following:

"Representatives of the EEC may participate, without the right to vote, in the deliberations of the Commission on questions within the scope of the activities of the EEC."

Such a statement could be appended to the rules of procedure as a footnote to Rule 74. Further background is contained in Tabs C and D, the latter consisting of State 14910 on the EEC in the CSD.

As a fallback, the U.S. Delegation may accept the SyG's proposal in paragraph 11 of the report with the deletion of the word "fully" and subject to the interpretation given to the proposed decision in paragraphs 9-11. The Delegation should seek to ensure that the ECOSOC resolution (or, alternatively, the record of proceedings) reflects that the rule is adopted on the basis of the SyG's report.

The word "fully" is inappropriate and misleading. It is inappropriate because it describes in short hand the objective of the proposed rule set out in UNGA Resolution 46/470, paragraph 7A, rather than an element of the rule. The rule speaks for itself and is intended to carry out this objective as ECOSOC deems appropriate. It is also inappropriate and misleading because it suggests that ECOSOC intends to accord the EEC greater rights of participation than non-member states and specialized agencies; in principle, the EEC should have rights that stop short of those pertaining to such states and agencies. Thus, as the SyG's report indicates, the new rule is patterned on rules 69 and 71 (see paragraph 11), neither of which uses the word "fully." For these reasons and to avoid confusion, the word "fully" must be deleted.

Venue

Administrative efficiency dictates that the usual site of the meetings of the CSD should be the place where the CSD's staff is located. Because the Secretary General plans to put the staff at UN Headquarters in New York, most CSD meetings should take place there. Further background is in Tab C.

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U.S. INTERVENTION
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(INTRO)

Before addressing (), I would like to make a few remarks on behalf of my government about the important issues we are facing here today. The United States, from the President and Vice President to the other officials engaged in the details of these questions, is committed to the success of our undertaking here.

We are at a turning point in the history of the world -- a turning point in our relationship to our planet and its natural resources, on which we and all other life on the planet depend, and a turning point in the relationship between North and South. The Road from Rio leads from that historic meeting of the world's leaders directly to our meeting here. We have a challenge, and an opportunity. We need to give the concept of sustainable development a real meaning, an operative meaning. Agenda 21 is the blueprint for our endeavor, and the Commission for Sustainable Development is an important vehicle for carrying it out.

ingwith
The United States welcomes this opportunity to work with others in trying to shape together our common future. ~~We don't know with certainty where the Road from Rio will take us, but there is an American pioneer tradition that will guide us in making our contribution.~~ We have always looked for new challenges, and the challenge of defining the means of sustainable development, for all nations, both North and South is a task that excites many Americans. ~~We are a practical people, with a pragmatic, can-do approach to problems.~~ We have to find a way to integrate the twin imperatives of environmental protection and economic well-being. We have to find a way to bring the best science and the best technology available to bear in addressing the real-world problems of sustainable development. We want to be sure the conditions are established so that this science and these technologies are shared on a global basis. *and the
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What is needed here, Mr. Chairman, is a true partnership of all nations, of all peoples. We seek an intensive and ongoing intergovernmental dialogue on the national and multilateral implementation of Agenda 21. Each partner brings unique contributions to this common effort. We need to encourage the broadest possible participation in the process, including contributions from specialized agencies and non-governmental organizations. What we create here, through our decisions in establishing the Commission for Sustainable Development to guide the implementation of Agenda 21, will provide a legacy for future generations.

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OF THE ECONOMIC AND SOCIAL COUNCIL****PHOTOCOPY
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* The text of the rules of procedure is being issued initially as a mimeographed document. It will be issued, in due course, as a sales publication of the United Nations.

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NOTE

The rules of procedure of the functional commissions were initially adopted by the Economic and Social Council in resolution 100 (V) of 12 August 1947. After a comprehensive review, they were revised by the Council in resolution 289 (X) of 6 March 1950. The present edition embodies all the amendments adopted by the Council since the latter date and contained in the following resolutions and decisions of the Council: resolution 481 (XV) of 1 April 1953; resolution 1231 (XLII) of 6 June 1967; decision of 2 August 1968 (1561st meeting); resolution 1393 (XLVI) of 3 June 1969; decision of 3 June 1969 (1596th meeting); decision of 17 November 1969 (1647th meeting) decision 216 (LXII) of 26 April 1977 and decision 1982/147 of 15 April 1982.

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**RULES OF PROCEDURE OF THE FUNCTIONAL
COMMISSIONS¹
OF THE ECONOMIC AND SOCIAL COUNCIL**

I. SESSIONS

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Number of sessions

Rule 1

Unless the Economic and Social Council (the Council) decides otherwise, the functional commission (the commission) shall hold sessions biennially.

Date of opening

Rule 2

1. The date of opening of each session of the commission shall be fixed by the Council, taking into account any recommendation of the commission and in consultation with the Secretary-General.

2. In exceptional cases, the date of opening of a session may be altered by the Secretary-General in consultation with the Committee on Conferences of the General Assembly and, whenever practicable, with the Chairman of the commission.

Place of sessions

Rule 3

Sessions shall be held at the Headquarters of the United Nations unless another place is designated by the Council, taking into account any recommendation of the commission and in consultation with the Secretary-General.

Notification of opening date of sessions

Rule 4

The Secretary-General shall notify the members of the commission and also, in the case of the Commission on Narcotic Drugs, the President of the International Narcotics Control Board, of the date and place of the first meeting of each session at least six weeks in advance.

¹ At present: Statistical Commission, Population Commission, Commission for Social Development, Commission on Human Rights, Commission on the Status of Women, Commission on Narcotic Drugs.

II. AGENDA

Drawing up of the provisional agenda

Rule 5

1. The Secretary-General, in consultation with the Chairman whenever possible, shall draw up the provisional agenda for each session.

2. The provisional agenda shall include all items required by these rules as well as items proposed by:

(a) The commission at a previous session;

(b) The General Assembly, the Economic and Social Council, the Security Council or the Trusteeship Council;

(c) A Member of the United Nations;

(d) A sub-commission of the commission;

(e) The Chairman;

(f) The Secretary-General;

(g) A specialized agency,² subject to rule 72;

(h) A non-governmental organization, subject to paragraph 4 of this rule.

3. Items proposed for inclusion in the provisional agenda pursuant to subparagraphs (c), (e), (f), (g) and (h) of paragraph 2 shall be submitted with basic documents in sufficient time to reach the Secretary-General not less than seven weeks before the first meeting of each session.

4. (i) Non-governmental organizations in category I may propose items for the provisional agenda of the commission provided that:

(a) An organization that intends to propose such an item shall inform the Secretary-General at least nine weeks before the commencement of the session, and before formally proposing an item shall give due consideration to any comments the secretariat may make.

(b) The proposal shall be formally submitted with basic documents not less than seven weeks before the commencement of the session.

(ii) An item proposed in accordance with the provisions of this paragraph shall be included in the agenda of the commission if it is adopted by a two-thirds majority of the members present and voting.

² When the term "specialized agencies" is used in these rules, it refers to specialized agencies brought into relationship with the United Nations; it also includes the International Atomic Energy Agency.

*Communication of the provisional agenda***Rule 6**

1. The Secretary-General shall, not less than six weeks before the opening of the session, communicate the provisional agenda for a session of the commission and transmit the basic documents related to each item appearing thereon to the Members of the United Nations, the President of the Security Council, the President of the Trusteeship Council, the specialized agencies, the intergovernmental organizations referred to in rule 74, the non-governmental organizations³ in category I or II or on the Roster and also, in the case of the Commission on Narcotic Drugs, to the President of the International Narcotics Control Board.

2. In exceptional circumstances, the Secretary-General may, for reasons to be specified in writing, transmit the basic documentation relating to items on the provisional agenda not less than four weeks before the opening of the session.

*Adoption of the agenda***Rule 7**

The commission shall at the beginning of each session, after the election of its officers, in accordance with rule 15, adopt the agenda for that session on the basis of the provisional agenda referred to in rule 5.

*Revision of the agenda***Rule 8**

During a session, the commission may revise the agenda by adding, deleting, deferring, or amending items. Only important and urgent items shall be added to the agenda during the session.

*Draft provisional agenda for subsequent session***Rule 9**

At each session of the commission, the Secretary-General shall submit a draft provisional agenda for the commission's subsequent session, indicating in respect of each agenda item the documents to be submitted under that item and the legislative authority for their preparation, in order to enable the commission to consider the documents from the point of view of their contribution to the work of the commission and of their urgency and relevance in the light of the current situation.

³ When the term "non-governmental organizations" is used in these rules, it refers to non-governmental organizations which are in consultative relationship with the Council in accordance with part III of its resolution 1296 (XLIV).

III. REPRESENTATION

Terms of office of members

Rule 10

Unless the Council decides otherwise, the term of office of members of the commission shall begin on 1 January following the election of the States concerned to membership of the commission and shall end on 31 December following the election of the States that are to succeed them as members of the commission.

Representatives

Rule 11

Each member of the commission shall, after consultation with the Secretary-General and subject to confirmation by the Council,⁴ designate a person to serve as its representative on the commission.

Rights of representatives pending confirmation⁴

Rule 12

A person designated as the representative of a member of the commission in accordance with rule 11 may, pending confirmation by the Council, participate in the work on the commission with the same rights as the other representatives on the commission.

Alternates⁴

Rule 13

1. Each member of the commission may, in consultation with the Secretary-General, designate an alternate representative to act in place of its representative at any meeting of the commission or, except as provided in paragraph 2 of this rule, of its subsidiary organs. When acting as representative, the alternate so designated shall have the same status as a representative, including the right to vote.

2. In the case of a subsidiary organ whose members are experts nominated by Governments serving in their individual capacity, if a member is unable to attend all or part of a session he may with the consent of his Government and in consultation with the Secretary-General, designate an alternate to act in his place during his absence. Such an alternate shall have the same status as the expert serving as member on the subsidiary organ concerned, including the right to vote.

⁴ Not applicable to the Commission on Narcotic Drugs which is composed of States whose representatives are appointed by Governments without consultation with the Secretary-General and without confirmation by the Council.

*Advisers***Rule 14**

The representative of a member of the commission may be accompanied by such advisers as may be required.

IV. OFFICERS*Election of officers***Rule 15**

At the commencement of its first meeting of a regular session the commission shall elect, from among the representatives of its members, a Chairman, one or more Vice-Chairmen and such other officers as may be required.

*Term of office***Rule 16**

The officers of the commission shall, subject to rule 19, hold office until their successors are elected and shall be eligible for re-election.

*Acting Chairman***Rule 17**

1. If the Chairman finds it necessary to be absent during a meeting or any part thereof, he shall designate one of the Vice-Chairmen to take his place.

2. If the Chairman ceases to hold office pursuant to rule 19, the remaining officers shall designate one of the Vice-Chairmen to take his place until the election of a new Chairman.

*Powers of the Acting Chairman***Rule 18**

A Vice-Chairman acting as Chairman shall have the powers and duties of the Chairman.

*Replacement of the Chairman or other officers***Rule 19**

If the Chairman or any other officer is unable to carry out his functions or ceases to be a representative of a member of the commission or if the State of which he is a representative ceases to be a member of the commission he shall cease to hold such office and a new officer shall be elected for the unexpired term.

*Voting rights of the Chairman⁵***Rule 20**

The Chairman, or a Vice-Chairman acting as Chairman, may empower his alternate designated in accordance with rule 13 to participate in the proceedings and vote in the commission. In this case, the Chairman or Acting Chairman shall not participate in the proceedings except in his capacity as presiding officer of the commission.

V. SUBSIDIARY ORGANS*Establishment of committees and working groups***Rule 21**

1. During a session, the commission, in consultation with the Secretary-General, may set up such committees or working groups composed of members of the commission as are deemed necessary and refer to them any questions on the agenda for study and report.

2. With the prior approval of the Council and in agreement with the Secretary-General such committees or working groups may be authorized to sit while the commission is not in session.

3. The members of committees or working groups of the commission shall be nominated by the Chairman, subject to approval of the commission.

*Establishment of sub-commissions***Rule 22**

1. The commission shall set up only such sub-commissions as may be authorized by the Council.

2. Unless otherwise determined by the Council, the commission shall determine the functions and composition of each sub-commission.

*Officers***Rule 23**

Unless the commission decides otherwise, its subsidiary organs shall elect their own officers.

⁵ Not applicable in the case of a subsidiary organ which is composed of experts serving in their individual capacity.

*Rules of procedure***Rule 24**

The rules of procedure of the commission shall apply to the proceedings of its subsidiary organs in so far as they are applicable.

VI. SECRETARIAT*Duties of the Secretary-General***Rule 25**

1. The Secretary-General shall act in that capacity in all meetings of the commission. He may designate a member of the Secretariat to act as his representative.

2. He shall provide and direct the staff required by the commission and be responsible for all the arrangements that may be necessary for its meetings.

3. He shall keep the members of the commission informed of any questions that may be brought before it for consideration.

*Duties of the Secretariat***Rule 26**

The Secretariat shall:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate and circulate documents;
- (c) Print, publish and circulate as appropriate the records of the sessions, the resolutions of the commission and the required documentation;
- (d) Have custody of the documents in the archives; and
- (e) Generally perform all other work that may be required.

*Statements by the Secretariat***Rule 27**

The Secretary-General or his representative may, subject to rule 43, make oral as well as written statements to the commission concerning any question under consideration.

*Estimates of expenditure***Rule 28**

1. Before a proposal involving the expenditure of United Nations funds is approved by the commission, the Secretary-General shall prepare and provide to the commission an estimate of the programme budget implications of implementing the proposal. The Chairman shall draw attention to that estimate and invite discussion on it when the proposal is considered by the commission.

2. Any programme budget proposal recommended by the commission to the Council for its approval must be stated in terms of the objectives to be achieved.

VII. LANGUAGES*Official and working languages***Rule 29**

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages, and English, French and Spanish the working languages of the commission.

*Interpretation***Rule 30**

1. Speeches made in an official language shall be interpreted into the other official languages.

2. A speaker may speak in a language other than an official language if he provides for interpretation into one of the official languages. Interpretation into the other official languages by the interpreters of the Secretariat may be based on the interpretation given in the first such language.

*Languages of records***Rule 31**

Records shall be drawn up in the working languages. A translation of the whole or part of any record into either of the other official languages shall be furnished if requested by a representative.

*Languages of resolutions and other formal decisions***Rule 32**

All resolutions, recommendations and other formal decisions of the commission shall be made available in the official languages.

VIII. RECORDS AND REPORTS

Sound recordings of meetings

Rule 33

Sound recordings of meetings of the commission shall be made and kept by the secretariat. Such recordings may also be made and kept of the meetings of committees, working groups and sub-commissions if so decided by the commission.

Summary records of meetings

Rule 34

No summary records of meetings of the commission or any subsidiary organs shall be provided unless these have been specifically authorized by the Council.

Records of public meetings

Rule 35

1. Summary records of the public meetings of the commission and its subsidiary organs, where authorized and required, shall be prepared by the Secretariat. They shall be distributed as soon as possible to all members of the commission or of the organ concerned, and to any other participants in the meeting, who may, within one week of their receipt, submit corrections to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Corrections will be consolidated in a single corrigendum to be issued after the end of the session.

2. The summary records and the consolidated corrigendum thereto shall be distributed promptly to the Members of the United Nations and to the specialized agencies. On publication, these records may be consulted by the public.

Records of private meetings

Rule 36

The records of private meetings of the commission shall be distributed promptly to the members of the commission and to any other participants in these meetings. They shall be made available to other Members of the United Nations upon decision of the commission. They may be made public at such time and under such conditions as the commission may decide.

*Reports to the Council***Rule 37**

The commission shall submit to the Council a report, which shall normally not exceed thirty-two pages, on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall as far as practicable frame its recommendations and resolutions in the form of drafts for approval by the Council.

*Communication of formal decisions and reports***Rule 38**

As soon as possible, the text of the formal decisions and reports adopted by the commission shall be distributed to all members of the commission and to any other participants in the session. The printed text of such decisions and reports shall be distributed as soon as possible after the close of the session to the Members of the United Nations, to the specialized agencies, to the intergovernmental organizations referred to in rule 74, and to the concerned non-governmental organizations in category I or II or on the Roster.

IX. PUBLIC OR PRIVATE MEETINGS*General principle***Rule 39**

Unless the commission decides otherwise its meetings shall be held in public.

X. CONDUCT OF BUSINESS*Quorum***Rule 40**

A majority of the representatives of members of the commission shall constitute a quorum.

*General powers of the Chairman***Rule 41**

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall declare the opening and closing of each

meeting of the commission, direct the discussions, ensure observance of these rules, accord the right to speak; put questions to the vote and announce decisions. The Chairman, subject to these rules, shall have complete control of the proceedings of the commission and over the maintenance of order at its meetings. He shall rule on points of order. He may propose to the commission the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

2. The Chairman, in the exercise of his functions, remains under the authority of the commission.

Points of order

Rule 42

1. During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the Chairman in accordance with these rules. A representative may appeal against the ruling of the Chairman. The appeal shall be immediately put to the vote, and the ruling of the Chairman shall stand unless overruled by a majority of the members present and voting.

2. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 43

1. No one may address the commission without having previously obtained the permission of the Chairman. Subject to rules 42, 45 and 48 to 50, the Chairman shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the commission and the Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

3. The commission may limit the time allowed to speakers and the number of times the representative of each member may speak on any question; permission to speak on a motion to set such limits shall be accorded only to two representatives favouring and to two opposing such limits, after which the motion shall be put to the vote immediately. Interventions on procedural questions shall not exceed five minutes unless the commission decides otherwise. When debate is limited and a speaker exceeds the allotted time, the Chairman shall call him to order without delay.

*Closing of list of speakers***Rule 44**

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the commission, declare the list closed. When there are no more speakers, the Chairman shall, with the consent of the commission, declare the debate closed. Such closure shall have the same effect as closure by decision of the commission.

*Right of reply***Rule 45**

The right of reply shall be accorded by the Chairman to the representative of any member who requests it. Representatives should attempt, in exercising this right, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

*Congratulations***Rule 46**

Congratulations to the newly elected officers shall be expressed only by the outgoing Chairman or a member of his delegation, or by a representative designated by the outgoing Chairman.

*Condolences***Rule 47**

Condolences shall be expressed solely by the Chairman on behalf of all members. The Chairman, with the agreement of the commission, may dispatch a message on behalf of all members of the commission.

*Suspension or adjournment of the meeting***Rule 48**

During the discussion of any matter, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted, and they shall be put to the vote immediately.

*Adjournment of debate***Rule 49**

A representative may at any time move the adjournment of the debate on the item under discussion. Permission to speak on the motion shall be accorded only to two representatives favouring and to two opposing the adjournment, after which the motion shall be put to the vote immediately.

*Closure of debate***Rule 50**

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately.

*Order of motions***Rule 51**

Subject to rule 42, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) To close the debate on the item under discussion.

*Submission of proposals and substantive amendments***Rule 52**

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General. Unless the commission decides otherwise, proposals and substantive amendments shall be discussed or put to the vote no earlier than twenty-four hours after copies have been circulated to all members.

*Withdrawal of proposals and motions***Rule 53**

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

*Decisions on competence***Rule 54**

A motion calling for a decision on the competence of the commission to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

*Reconsideration of proposals***Rule 55**

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the commission so decides. Permission to speak on a motion to reconsider shall be accorded only to two representatives opposing the motion, after which it shall be put to the vote immediately.

XI. VOTING AND ELECTIONS*Voting rights***Rule 56**

Each member of the commission shall have one vote.

*Request for a vote***Rule 57**

A proposal or motion before the commission for decision shall be voted upon if any member so requests. When no member requests a vote, the commission may adopt proposals or motions without a vote.

*Majority required***Rule 58**

1. Except as provided in rule 5(4) (ii), decisions of the commission shall be made by a majority of the members present and voting.
2. For the purpose of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

*Method of voting***Rule 59**

1. Except as provided in rule 66, the commission shall normally vote by show of hands, except that a representative may request a roll-call which shall be taken in the English alphabetical order of the names of the States represented on the commission, beginning with the State whose name is drawn by lot by the Chairman. The name of each member shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".
2. The vote of each member participating in any roll-call shall be inserted in the record.

*Explanation of vote***Rule 60**

Representatives may make brief statements consisting solely of explanation of their votes, before the voting has commenced or after the voting has been completed. The representative of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

*Conduct during voting***Rule 61**

After the Chairman has announced the commencement of voting, no representative may interrupt the voting except on a point of order in connexion with the actual process of voting.

*Division of proposals and amendments***Rule 62**

Parts of a proposal or an amendment shall be voted on separately if a representative requests that the proposal be divided. Those parts of the proposal or the amendment which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal or an amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

*Amendments***Rule 63**

An amendment is a proposal that does no more than add to, delete from or revise part of another proposal.

*Order of voting on amendments***Rule 64**

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

*Order of voting on proposals***Rule 65**

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the commission decides otherwise, be voted on in the order in which they were submitted. The commission may, after each vote on a proposal, decide whether to vote on the next proposal.

2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

*Elections***Rule 66**

All elections shall be held by secret ballot, unless, in the absence of any objection, the commission decides to proceed without taking a ballot on an agreed candidate or slate.

Rule 67

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

*Equally divided votes***Rule 68**

If a vote is equally divided on a matter other than an election, the proposal or motion shall be regarded as rejected.

**XII. PARTICIPATION OF NON MEMBERS OF
THE COMMISSION***Participation of non-Member States***Rule 69**

1. The commission shall invite any Member of the United Nations that is not a member of the commission, and any other State,⁶ to participate in its deliberations on any matter of particular concern to that State.

⁶ It is the understanding of the Economic and Social Council that a commission, in discharging its functions under this rule, will follow the practice of the General Assembly in implementing an all States clause, and that in all cases where it is advisable it will request the opinion of the Council before taking appropriate decisions.

2. A subsidiary organ of the commission shall invite any State⁶ that is not one of its own members⁷ to participate in its deliberations on any matter of particular concern to that State.

3. A State thus invited shall not have the right to vote, but may submit proposals which may be put to the vote on request of any member of the commission or of the subsidiary organ concerned.

Participation of national liberation movements

Rule 70

The commission may invite any national liberation movement recognized by or in accordance with resolutions of the General Assembly to participate, without the right to vote, in its deliberations on any matter of particular concern to that movement.

Participation of and consultation with specialized agencies⁸

Rule 71

In accordance with the agreements concluded between the United Nations and the specialized agencies, the specialized agencies shall be entitled:

(a) To be represented at meetings of the commission and its subsidiary organs;

(b) To participate, without the right to vote, through their representatives, in deliberations with respect to items of concern to them and to submit proposals regarding such items, which may be put to the vote at the request of any member of the commission or of the subsidiary organ concerned.

Rule 72

Before the Secretary-General places an item proposed by a specialized agency on the provisional agenda, he shall carry out with the agency concerned such preliminary consultation as may be necessary.

Rule 73

1. Where an item proposed for inclusion in the provisional agenda for a session or added to the agenda under rule 5 contains a proposal for new activities to be undertaken by the United Nations relating to matters that are of direct concern to one or more specialized agencies, the Secretary-General shall enter into consultation with the agencies concerned and report to the commission on the means of achieving a co-ordinated use of the resources of the respective agencies.

⁷ The expression "that is not one of its own members" does not apply to subsidiary organs composed of experts serving in their individual capacity.

⁸ See foot-note 2.

2. When in the course of a meeting of the commission a proposal for new activities to be undertaken by the United Nations relates to matters that are of direct concern to one or more specialized agencies, the Secretary-General shall, after such consultation as may be possible with the representatives of the agencies concerned, draw the attention of the commission to the implications of the proposal.

3. Before deciding on proposals referred to above, the commission shall satisfy itself that adequate consultations have taken place with the agencies concerned.

Participation of other intergovernmental organizations

Rule 74

Representatives of intergovernmental organizations accorded permanent observer status by the General Assembly and of other intergovernmental organizations designated on a continuing basis by the Council or invited by the commission, may participate, without the right to vote, in the deliberations of the commission on questions within the scope of the activities of the organizations.

XIII. CONSULTATION WITH AND REPRESENTATION OF NON-GOVERNMENTAL ORGANIZATIONS

Representation

Rule 75

Non-governmental organizations in category I or II may designate authorized representatives to sit as observers at public meetings of the commission and its subsidiary organs. Those on the Roster may have representatives present at such meetings when matters within their field of competence are being discussed.

1. Roster must
demonstrate
field of
competence.

Consultation

Rule 76

1. The commission may consult with organizations in category I or II either directly or through a committee or committees established for the purpose. In all cases, such consultations may be arranged on the invitation of the commission or at the request of the organization.

2. On the recommendation of the Secretary-General and at the request of the commission, organizations on the Roster may also be heard by the commission.

work still
to be done

XIV. AMENDMENT AND SUSPENSION OF RULES OF PROCEDURE

Method of amendment

Rule 77

Only the Council may amend these rules.

Method of suspension

Rule 78

A rule of procedure may be temporarily suspended by the commission provided that such suspension shall not be inconsistent with any applicable decisions of the Council and provided that twenty-four hours' notice of the proposal for suspension has been given, which may be waived if no representative objects. Any such suspension shall be limited to a specific purpose and to a period required to achieve that purpose.

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Page 1

**PHOTOCOPY
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Replace first paragraph with the following:

The participation of NGOs and other major groups in the U.N. Conference on Environment and Development contributed significantly to the success of the conference. Agenda 21, which was adopted by consensus, recognizes NGOs and other major groups as "important partners" in the sustainable development process and calls for the effective participation of NGOs and other major groups "in the process established to review and evaluate the implementation of Agenda 21 at all levels."

The U.S. seeks to accommodate its interest in having effective NGO/major group participation in the CSD in two ways: (I) adaptation of the "Arrangements for Consultations with Non-Governmental Organizations" adopted by ECOSOC, Resolution 1296 (XLIV) (23 May 1968), and Rules of Procedure of the Functional Commissions of ECOSOC, (E/S975/Rev.1 of 18 January 1983), drawing on Decisions 1/1 11/ and 2/1 12/ of the Preparatory Committee for the United Nations Conference on Environment and Development and paragraphs 38.11 and 38.44 of Agenda 21, at least for the initial years of the CSD; and (II) establishment of a [domestic? bilateral?] mechanism for consultation and coordination that complements and enhances regular NGO participation in CSD and ECOSOC bodies.

The U.S. takes note of: (1) concerns of some member states regarding time and resource constraints of the CSD; (2) the fact that only a small number of NGOs accredited to UNCED have sought or obtained formal consultative status with ECOSOC, and the fact that many NGOs beyond those in consultative status with ECOSOC are competent and relevant to the work of the CSD; and (3) ongoing efforts within domestic and international NGO communities to develop mechanisms for effective information dissemination and representation in the work of international organizations.

Para 3: Replace last sentence with the following:

Mechanisms developed for the selection of NGO representatives on the US delegations to UNCED preparatory committee meetings and to UNCED itself, in cooperation with self-organized networks of NGOs and major groups, may provide a model for selection of NGO representatives on the US delegation to the CSD.

Page 2

Para 1, line 3: delete "but not too often"

Para 4: "CSD Procedures":

I question the accuracy of the assertion that each commission is "required to adhere generally." ECOSOC has the authority either to adapt the rules of procedure for functional commissions as it pleases for any given commission or to grant a functional commission authority to adapt those rules itself, does it not?

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Para 2: replace last sentence with the following:

Regarding submission of written statements, the rights of NGOs in Categories I, II, and the Roster differ in quantitative terms; only NGOs in Categories I and II may make oral statements, and only NGOs in Category I status may propose agenda items.

Para 5: Replace the first four sentences with the following:

In recognition of the significant contributions to the CSD that a wider range of NGOs and major groups than typically meet the ECOSOC criteria for Category I or II could make, we would propose the addition to the Roster of all UNCED-accredited NGOs.

Page 4

Replace paragraphs 2, 3 and 4 with the following:

su { Given the likelihood of a broader review of NGO/major group participation in the United Nations, perhaps in the context of the 50th anniversary of the U.N. in 1995, this procedure should be applied only to the CSD and reviewed within two years. In the interim, one of the early tasks of the CSD might include engaging in consultations with NGOs and major groups on the elaboration of guidelines or criteria for permanent procedures for NGO participation in the multi-year work program of the CSD.

Once the CSD is established, CONGO should be directed to give expedited consideration to additional applicants for consultative status in regard to the commission's work, principally by placement on the roster but also including assignment of Category I or II statuses. With respect to applications to be placed on the Roster only for the purposes of the CSD, the CONGO should use the criteria of relevance and competence developed by UNCED, taking into account the recommendations of the CSD. In order to address possible concerns that the Secretary-General or the CONGO may not be sufficiently sensitive to the interests of the NGOs or otherwise take an unnecessarily strict approach to accreditation, we could suggest that decisions of the CONGO should take into account the recommendations of the CSD.

Page 5

First full para on "Attendance at meetings":

Given our discussion yesterday about the fact that NGOs on the CSD Roster would generally have competence in matters of sustainable development, why make distinctions between rights to designate observers between Categories I and II and Roster? I'd replace this para with the following:

"Organizations accredited to the CSD may designate representatives to sit as observers in public meetings. In the event that space limitations prohibit all accredited NGOs from being seated as observers, NGOs would be asked to develop a system for self-selection of representatives to occupy seats available, in consultation with the CSD secretariat NGO liaison office."

Para 3 on "Written statements":

Replace last two sentences with the following:

"The CSD should also make a standing invitation to NGOs on the Roster to submit written statements up to 1500 words."

Para 4 on Hearings: replace para with the following:

Under the Rules of Procedure of Functional Commissions of ECOSOC, commissions and their subsidiary organs may consult with category I and II NGOs either directly or through a committee or committees; NGOs on the Roster also may be heard by commissions and subsidiary bodies on the recommendation of the Secretary General and at the request of the commission or subsidiary body. The US will seek a recommendation from the Secretary General and decision by the CSD to place Roster NGOs on the same footing as Category I and II NGOs.

Page 6

Para 1, line 9:

Delete "a number of" before "NGOs placed specially on the Roster."

Para 2, "Special Studies":

Line 1: after "A commission" add "or its subsidiary bodies".

Line 4: after "a commission" add "or its subsidiary bodies."

Page 7

Para 3 on "Procedures":

After "The existing Rules of Procedure of Functional Commissions of ECOSOC" add "with the modifications described herein".

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M E M O R A N D U M

To: Bruce Rashkow, John McGuinness, Mark Kindall,
and Patricia Bliss-Guest

From: Liz Barratt-Brown

Re: Comments on U.S. paper on Rules of Procedure

Date: January 26, 1993

The following are comments on pages 1 - 4 of your draft paper. Scott will provide a redraft of the first paragraph and Kathy will comment on pages 5-8.

I. Domestic Coordination Mechanism

Second paragraph, 2nd sentence:

Recommendation: Amend sentence that begins with "Of course,..." to "The Administration will actively encourage the policy of placing NGOs as observers on official delegations. As observers on the U.S. Delegation, such NGOs understand that they are subject to the direction..."

Discussion: We are seeking a clearer statement here of U.S. policy regarding placing NGOs as observers on delegations. As I recall, the U.S. encouraged other countries to adopt the practice of putting NGOs on official delegations. In part, this was through example. For the 4th and last "Prepcom" in New York, the U.S. put over 25 NGOs (rotated 5-6/week) on the delegation. We would like to see language in this paper that again states that the U.S. will encourage other countries as well as continue this practice itself.

Second paragraph, 3rd sentence:

Recommendation: Eliminate.

Discussion: It is highly unlikely that there will be more NGOs interested in serving on the U.S. Delegation than there were at Prepcom 4. Prior to Prepcom 4, the U.S. Citizens Network performed the valuable function of nominating NGOs for the available slots. The Network was careful to include a balance of perspectives and geographic representation. We suggest that a similar procedure be followed in regard to the CSD.

Fourth and fifth paragraph:

Recommendation: Eliminate last sentence of fourth paragraph and all of fifth paragraph.

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Discussion: The liaison must not serve as a barrier to interaction between NGOs and the government officials with the responsibility of carrying out U.S. policy. While concerns about time are understandable, there is great merit in officials hearing directly from NGOs and engaging in a constructive dialogue. Therefore, we strongly believe that the liaison's functions be limited to organizing briefing sessions, dissemination of documents, and other procedural matters but that the officials responsible for U.S. policy meet directly with NGOs.

II. CSD Procedures

ARRANGEMENTS

General: This section (most appropriately, the first paragraph) should be augmented with a discussion of the arrangements made at UNCED and the language adopted in Chapter 38.44 (which states, inter alia:

Procedures should be established for an expanded role for NGOs, including those related to major groups, with accreditation based on the procedures used in UNCED.

The context for the U.S. recommendations would be better developed with some reference in the text (not just the tab).

Second paragraph:

Recommendation: Eliminate.

Discussion: Do not agree that the categories are not qualitative. The right to propose agenda items and to address the session is significant. NGOs are otherwise subject to the whim of the Chair (who may or may not be sympathetic).

Obtaining Consultative Status

First paragraph:

Recommendation: Eliminate.

Discussion: This paragraph is not necessary, especially in light of the changes proposed by Scott for the first paragraph. Too much emphasis on the ECOSOC procedures per our discussion yesterday.

Third paragraph:

Recommendation: The paragraph would most usefully start at the middle of the third sentence, "We would propose listing....".

Discussion: The first sentence is unclear. Does the U.S. intend to review the list of all NGOs? U.S. NGOs? If the latter, what

repercussions for NGOs from countries that are interested in stiffling domestic debate on these issues (e.g. Wangari Matthai from Kenya). We suggest the U.S. not get into the business of reviewing the list of accredited NGOs from UNCED. These NGOs should be put on the roster until the 1995 review.

Fourth paragraph:

Recommendation: Rewrite. "Fixed period" should be at least through 1995 review. Criteria should be UNCED criteria for this period. Let the review take care of the criteria for post-1995 accreditation for the CSD and ECOSOC more generally.

Discussion: The recommendations above seek to better "twin" the CSD accreditation issues with the larger ECOSOC reform. It probably doesn't make sense to tackle accreditation issues in two places.

Fifth and sixth paragraphs:

Recommendation: Eliminate and substitute language re: the CSD doing recertification.

Discussion: It is better to leave organization of NGO representation to the NGOs themselves. Additionally, we have recommended in our paper that the CSD NGO liaison do the "recertification" not CONGO. We recommend not giving CONGO a role here, given its history of delay.

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ANNEX I

SUGGESTED AGENDA-21 CLUSTERS

95 I. ~~ann.~~ Critical elements of Sustainability

~~International cooperation to accelerate sustainable development in developing countries and related domestic policies (Chapter 2)~~ - trade & env; links to G77
Combating poverty (Chapter 3)
Changing consumption patterns (Chapter 4) - major cause of env degradation is unsustainable pattern of consumption & production
Demographic dynamics and sustainability (Chapter 5)

ann II. ~~ann~~ Financial Resources and Mechanisms

Financial resources and mechanisms (Chapter 33) - financing impl of A21
- new & additional funding

94 III. ~~ann~~ Education, Science and Technology

Environmentally sound management of biotechnology (Chapter 16) - inc food; improving health; enhancing env protection; safety;
Transfer of environmentally sound technology, cooperation and capacity-building (Chapter 34) - G77
Science for sustainable development (Chapter 35)
Promoting education, public awareness and training (Chapter 36)
- recognizing it to so

ann IV. ~~ann~~ Decision-making structures

Integrating environment and development in decision-making (Chapter 8) - providing effective legal & reg. framework using mkt & other incentives
National mechanisms and international cooperation for capacity-building in developing countries (Chapter 37) - countries should be able to complete national plans by 94
International institutional arrangements (Chapter 38) - UNCTAD 25th sess 8-16 July 94
International legal instruments and mechanisms (Chapter 39) - UNCTAD report on A21 impl
Information for decision-making (Chapter 40) - G77 issues outline rules as principal UN body for env
- bridging 'data gap' bet OECD & G77
- improving info availability

96 V. ~~ann~~ Roles of major groups 96

Preamble (Chapter 23)
Global action for women towards sustainable and equitable development (Chapter 24)

I - Soc & Econ Dimensions - Ch. 2-8

II - Conservation & Mgt of Resources for Development - Ch 9-22

III - Strengthening the Role of Major Groups - Ch 23-32

IV - Means of Implementation - Ch 33-40

Children and youth in sustainable development (Chapter 25) - education
Recognising and strengthening the role of indigenous people and their communities (Chapter 26)
Strengthening the role of non-governmental organizations: partners for sustainable development (Chapter 27)
Local authorities' initiatives in support of Agenda-21 (Chapter 28)
Strengthening the role of workers and their trade unions (Chapter 29)
Strengthening the role of business and industry (Chapter 30)
Scientific and technological community (Chapter 31)
Strengthening the role of farmers (Chapter 32)

94 **VI. 94 Health and Human Settlements**

Protecting and promoting human health conditions (Chapter 6) - primary care, communicable diseases, vulnerable groups
Promoting sustainable human settlement development (Chapter 7) - improve quality of human settlements
Environmentally sound management of solid wastes and sewage-related issues (Chapter 21) - minimizing wastes, max recycling, urbanisation, land use

95 **VII. 95 Land, Forests and Biodiversity**

Integrated approach to the planning and management of land resources (Chapter 10)
Combating deforestation (Chapter 11)
Managing fragile ecosystems: combating desertification and drought (Chapter 12)
Managing fragile ecosystems: sustainable mountain development (Chapter 13)
Promoting sustainable agriculture and rural development (Chapter 14)
Conservation of biological diversity (Chapter 15)

96 **VIII. 96 Atmosphere, Oceans and Freshwater**

Protection of the Atmosphere (Chapter 9)
Protection of the oceans, all kinds of seas, including enclosed and semi-enclosed seas, and coastal areas and their protection, rational use and development of their living resources (Chapter 17)
Protection of the quality and supply of freshwater resources, application of integrated approaches to the development, management and use of water resources (Chapter 18)

94 IX. ⁹⁶ Toxic Chemical and Hazardous Wastes

Environmentally sound management of toxic chemicals, including prevention of illegal international traffic in toxic and dangerous products (Chapter 19)
Environmentally sound management of hazardous wastes, including prevention of illegal international traffic in hazardous wastes (Chapter 20)
Safe and environmentally sound management of radioactive wastes (Chapter 22)

11

UNCLASSIFIED

OES/ENV:S S KINNEY:SSK
02/19/93 73934
IO/T:M KIMBLE

OES:C BOHLEN, IO/T:J MCGUINESS, EPA:M KINDALL, CEQ:P BLISS-GUEST,
OES/ENV:A SCHIFFERDECKER, OES/EHC:P BLAKEBURN,
OES/EGC:D REIFSNYDER, OES/E:R REINSTEIN, L/OES:J KNOX,
WH/OEP:K MCGINTY

IMMEDIATE USUN NEW YORK

PRIORITY GENEVA

FOR ED MARKS

E.O. 12356: N/A

TAGS: SENV, KSCA, EAID, EFIN

SUBJECT: GUIDANCE FOR CSD ORGANIZATIONAL MEETING, FEB.
24-26, 1993

REF: {A} 93 GENEVA 1549

1. THE SUBJECT MEETING IS EXPECTED TO FOCUS ON THE
FOLLOWING ITEMS:

-- ELECTION OF THE CHAIRPERSON AND OTHER MEMBERS OF THE
BUREAU;

-- PROVISIONAL AGENDA AND ORGANIZATION OF WORK OF THE
FIRST SUBSTANTIVE SESSION OF THE COMMISSION {JUNE 14-25,
{1993}};

-- OUTLINE OF A MULTI-YEAR PROGRAM OF WORK FOR THE
COMMISSION.

2. AS APPROPRIATE, USUN SHOULD CONVEY ASAP THE FOLLOWING
POINTS AND INFORMATION {KEYED TO AGENDA ITEMS ABOVE} TO
KEY ECOSOC SECRETARIAT PERSONNEL. US DELEGATES TO THE CSD
ORGANIZATIONAL MEETING SHOULD ALSO BE GUIDED BY THESE
POINTS AND INFORMATION WHEN DISCUSSING THE AGENDA ITEMS
MENTIONED ABOVE:

ELECTION OF LEADERSHIP

MK
SSK
CB
JM
MK
PB
AS
PB
DR
RR
JK
KM

-- WE SUPPORT MALAYSIA, WHOSE DELEGATION IS LED BY
AMBASSADOR ISMAIL RAZSALI, FOR CHAIR OF THE CSD. MALAYSIA
HAS THE STRONG SUPPORT OF THE G-77 AND PLAYED A VERY
CONSTRUCTIVE ROLE IN THE LAST UNGA ON ISSUES RELATED TO
THE CSD.

12
} Prant (dubbing)
Toeffler (German)
are 2 others

-- WE SHOULD RESERVE COMMENT ON OTHER LEADERSHIP POSITIONS
UNTIL ALL THE POSSIBLE CANDIDATES ARE KNOWN, INDICATING
THE IMPORTANCE WE ATTACH TO ACHIEVING A GOOD BALANCE OF
KEY GEOGRAPHIC AND SUBSTANTIVE INTERESTS. FINAL CHOICES
WILL BE DETERMINED BY REGIONAL GROUPS. WASHINGTON SHOULD
BE KEPT INFORMED AND CONSULTED IF PROBLEMS ARISE.

-- THE U.S. WOULD PREFER A COMPACT AND EFFICIENT CSD
BUREAU OF ONE CHAIRMAN, 3 VICE-CHAIRS AND A RAPPPORTEUR
{OR FOURTH VICE-CHAIR ACTING AS A RAPPOREUR} WITH EACH
REGIONAL GROUP FILLING ONE OF THE POSITIONS.

PROVISIONAL AGENDA FOR JUNE

- THE US BELIEVES THAT THE JUNE MEETING SHOULD CONCENTRATE
ON ORGANIZATIONAL ISSUES RELATED TO THE CSD, THE
INTEGRATION OF ENVIRONMENT AND DEVELOPMENT IN THE UN
SYSTEM, AND THE CROSS CUTTING ISSUES OF FINANCE AND
TECHNOLOGY COOPERATION.

-- IN THIS CONTEXT, WE BELIEVE IT WILL BE EXTREMELY
IMPORTANT TO HAVE EARLY DOCUMENTATION AND TO FOCUS
ATTENTION ON CONCRETE QUESTIONS AND INFORMATION IN ORDER
TO ENCOURAGE PRAGMATIC PROBLEM SOLVING IN A SPIRIT OF
COOPERATION AND PARTNERSHIP.

-- INTEGRATION OF ENVIRONMENT AND DEVELOPMENT IN THE UN
SYSTEM: WE EXPECT THAT CONSIDERATION OF THIS QUESTION WILL
FOCUS ON THE REPORT OF THE ADMINISTRATIVE COMMITTEE ON
COORDINATION - INTER-AGENCY COMMITTEE ON SUSTAINABLE
DEVELOPMENT {ACC-IACSD} ON U.N. FOLLOW-UP TO UNCED AND
COORDINATION. WE SHOULD URGE THAT THIS REPORT BE MADE
AVAILABLE AS FAR IN ADVANCE AS POSSIBLE. WE WOULD LIKE TO
CLEARLY IDENTIFY THE UN ENTITIES MOST RELEVANT TO
IMPLEMENTATION OF AGENDA 21 AND ESTABLISH AN ONGOING MEANS OF
COMMUNICATION AND REVIEW BETWEEN THEM AND THE CSD {AND ITS
STAFF SUPPORT IN THE SECRETARIAT} IN ORDER TO ENSURE THE
COORDINATION OF THEIR WORK. OF PARTICULAR IMPORTANCE IN THIS
CONTEXT WOULD BE THE DEVELOPMENT OF AND AGREEMENT ON
ENVIRONMENTAL INDICATORS WHICH COULD BE REALISTICALLY AND
COMPARABLY APPLIED BY AGENCIES AND/OR COUNTRIES. {THIS WOULD
INVOLVE A LONG TERM EFFORT TO DEVELOP A UN SYSTEM-WIDE
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT PROGRAM, BUILT UPON
THE EXISTING UN SYSTEM-WIDE, MEDIUM TERM ENVIRONMENT PROGRAM
{SWI-TEP}, WHICH SHOULD BE ADOPTED BY EVERY MAJOR UN ENTITY OR
AGENCY INVOLVED IN IMPLEMENTING UNCED'S RESULTS.}

-- CSD ORGANIZATIONAL ISSUES: KEY CSD ORGANIZATIONAL ISSUES
INCLUDE THE COORDINATION OF INTERNATIONAL MEETINGS; THE
QUESTION OF CSD WORKING GROUPS AND THEIR TERMS OF REFERENCE;
NATIONAL ACTION AND INFORMATION EXCHANGE; AND AN OUTLINE FOR A
MULTI-YEAR CSD WORK PLAN.

IN THIS CONTEXT USDEL SHOULD BE GUIDED BY THE FOLLOWING:

-- MEETING COORDINATION: THE US SHOULD EMPHASIZE THE NEED TO RATIONALIZE AND BETTER MANAGE THE RAPIDLY GROWING NUMBER OF INTERNATIONAL ENVIRONMENTAL MEETINGS AND URGE THE CSD TO BEAR THIS ALREADY OVERBURDENED SCHEDULE IN MIND AS IT ORGANIZES ITS WORK.

-- WORKING GROUPS: THE US SHOULD NOT ENCOURAGE THE ESTABLISHMENT OF WORKING GROUPS WITHIN THE CSD; HOWEVER, IF AS EXPECTED, THIS ISSUE ARISES, WE SHOULD STRONGLY SUPPORT NO MORE THAN TWO GROUPS AND URGE THAT THEY ADDRESS BROAD, GENERIC AREAS SUCH AS 1} UN SYSTEM INTEGRATION AND 2} NATIONAL/REGIONAL IMPLEMENTATION OF AGENDA 21. WE DO NOT FAVOR GROUPS FOCUSSED ON A SINGLE CHAPTER OF AGENDA 21 SUCH AS FINANCE OR CAPACITY BUILDING TO THE EXCLUSION OF OTHER DIMENSIONS OF UNCED FOLLOW-UP. WE SHOULD CALL FOR CLEAR TERMS OF REFERENCE THAT DEFINE THE SCOPE AND FUNCTION OF THE GROUPS, AIMING, IF POSSIBLE, AVOID INTERSESSIONAL MEETINGS AND ENSURING THAT THE WORKING GROUPS BE CSD SESSIONAL GROUPS ONLY. THE WORK OF OTHER ECOSOC SUBSIDIARIES, INCLUDING THE SCIENCE AND TECHNOLOGY COMMISSION AND THE COMMITTEES ON ENERGY AND NATURAL RESOURCES, SHOULD ALSO BE MESHED WITH THE CSD AND THE OVERALL FOLLOW-UP TO UNCED.

-- NATIONAL REPORTS PROCESS: THE US SHOULD UNDERLINE THE IMPORTANCE WE ATTACH TO ESTABLISHING A PROCESS OF "NATIONAL ACTION AND INFORMATION EXCHANGE" OR NATIONAL REPORTS. IN THIS REGARD, WE WOULD LIKE TO SEE EVERY NATION ENCOURAGED (AND ASSISTED AS APPROPRIATE) TO PREPARE NATIONAL ACTION PLANS TO IMPLEMENT AGENDA 21. WE BELIEVE THAT NATIONS SHOULD ALSO BE ENCOURAGED TO SHARE WITH THE CSD SECRETARIAT INFORMATION ABOUT HOW THEY ARE UNDERTAKING AND IMPLEMENTING SUCH PLANS. IF SUCH INFORMATION IS PROVIDED AT LEAST SIX MONTHS IN ADVANCE OF EACH CSD MEETING, THE CSD SECRETARIAT COULD USE THIS INFORMATION TO SUMMARIZE EXPERIENCE AND MODELS OF GENERAL INTEREST AND APPLICABILITY AND TAKE NOTE IN GENERAL TERMS OF AREAS WHERE FURTHER ACTION MAY BE NEEDED.

-- FINANCE AND TECHNOLOGY COOPERATION: THE US SHOULD SEEK TO AVOID FOCUSSED ON FINANCE AND TECHNOLOGY ISSUES AT THE JUNE SESSION OF THE CSD, NOTING THAT CSD ORGANIZATIONAL AND UN SYSTEM ISSUES WILL MORE THAN CONSUME THE TIME ALLOTTED FOR THE INAUGURAL SESSION. IF THIS APPROACH PROVES UNFEASIBLE, WE SHOULD MAKE SURE THAT THE JUNE SESSION DOES NOT BECOME A PLEDGING SESSION IN SUPPORT OF AGENDA 21. DISCUSSION OF FINANCE ISSUES SHOULD BE LIMITED TO IDENTIFYING WAYS TO CONSTRUCTIVELY INVOLVE THE BRETTON WOODS FINANCIAL INSTITUTIONS IN THE CSD PROCESS AND THE IMPORTANCE OF ASSESSING AND ESTABLISHING CONCRETE NEEDS BEFORE RESOURCES ARE PROVIDED (I.E., THE IMPORTANCE OF COUNTRY/NEEDS/FEASIBILITY STUDIES). THIS SAME GENERAL APPROACH WOULD APPLY TO TECHNOLOGY COOPERATION: NO RENEGOTIATION OF CHAPTER 34 AND STRONG SUPPORT FOR THE COUNTRY STUDIES AND TECHNOLOGY *needs* ASSESSMENTS CALLED FOR IN THIS CHAPTER AS A PRE-CONDITION FOR ASSISTANCE. ✓

-- DRAFT WORK PLAN: THE US SHOULD CONSULT CLOSELY WITH OTHER OECD COUNTRIES ON THE QUESTION OF THE MULTI-YEAR WORK PLAN AND SEEK AN APPROACH THAT WOULD ENCOMPASS KEY U.S. CONCERNS.

-- THE WORK PLAN SHOULD REFLECT ACTIVITIES IN WHICH THE CSD CAN MAKE A VALUE ADDED CONTRIBUTION BETWEEN NOW AND THE BIG REVIEW OF UNCED FOLLOW-UP CALLED FOR IN 1997.

-- GIVEN THE BREADTH OF AGENDA 21, IT WILL NOT BE POSSIBLE TO

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FOCUS ON ALL CHAPTERS INDIVIDUALLY. WE SUPPORT THE SECRETARIAT'S CONCEPT OF CLUSTERING ISSUES AND GENERALLY AGREE WITH THE WAY THEY HAVE PROPOSED TO DO THIS. WE DO NOT THINK IT IS REALISTIC TO TRY TO ADDRESS CLUSTERS I-V EVERY YEAR AS PROPOSED AND SHOULD PROPOSE INSTEAD THAT WE HIGHLIGHT EACH YEAR ONE OR TWO CLUSTERS OF SECTORAL ISSUES AND ONE CLUSTER OF CROSS SECTORAL ISSUES. BECAUSE OF TIMING CONSIDERATIONS, WE WOULD PREFER TO SEE FORESTS AND ATMOSPHERE TREATED TOGETHER IN 1996 INSTEAD OF IN THE CONTEXT OF LAND AND BIODIVERSITY ON THE ONE HAND AND ATMOSPHERE AND OCEANS AND FRESHWATER ON THE OTHER. WE AGREE THAT ISSUES SHOULD BE TAKEN UP IN VIEW OF RELATED EVENTS SUCH AS MAJOR NEGOTIATIONS OR CONFERENCES. WE BELIEVE THAT CLUSTER II {FINANCIAL RESOURCES AND MECHANISMS} SHOULD SIMPLY BE A FACTOR ADDRESSED IN THE COURSE OF OTHER SUBSTANTIVE DISCUSSIONS AND IN THE CONTEXT OF INPUT FROM THE BRETTON WOODS ORGANIZATIONS. {SEE NEXT TO LAST LAST PARA.}

MULTI-YEAR WORK PLAN

✓ THE US, SHOULD PURSUE THE FOLLOWING POINTS OF INTEREST TO US:

-- 1994: PROPOSED CLUSTERS III, VI AND IX {SCIENCE, EDUCATION AND TECHNOLOGY, HEALTH AND HUMAN SETTLEMENTS, TOXIC AND HAZARDOUS WASTES}

WE SHOULD URGE THAT SCIENCE {CAPACITY AND RESEARCH} AND EDUCATION BE ADDRESSED EARLY BECAUSE IT IS FUNDAMENTAL TO THE DEVELOPMENT OF SOUND SCIENTIFIC/TECHNICAL BASES FOR ACTION AND BECAUSE IT INVOLVES KEY CAPACITY BUILDING ISSUES FOR DEVELOPING COUNTRIES. THE FOCUS COULD BE SCIENCE, EDUCATION AND INFORMATION FOR DECISION MAKING.

BECAUSE THE US HAS A GOOD STORY TO TELL ON CHEMICALS AND HAZARDOUS WASTE, WE WOULD LIKE TO SEE THESE TOPICS ADDRESSED EARLY ALSO. THEY COULD BE GROUPED WITH SOLID AND RADIOACTIVE WASTES AND HEALTH AND HUMAN SETTLEMENTS, PERHAPS UNDER THE RUBRIC OF ENVIRONMENTAL IMPACTS OF DEVELOPMENT OR POLLUTION PREVENTION. OUR RATIONALE IS THAT DISCUSSION IN 1994 WOULD PROVIDE A TIMELY CHECK-UP ON AND ENCOURAGEMENT FOR IMPLEMENTATION OF THE BASEL CONVENTION AND WOULD HELP INFORM AND STRENGTHEN SIGNIFICANT INTERNATIONAL COOPERATION RELATED TO THE SUSTAINABLE MANAGEMENT OF WASTES AND TOXICS, WHICH HAVE IMPORTANT HEALTH IMPLICATIONS.

-- 1995: CLUSTERS VIII {OCEANS AND FRESHWATER MINUS ATMOSPHERE}, VII {LAND AND BIODIVERSITY MINUS FORESTS}, AND I {INTERNATIONAL COOPERATION TO ACCELERATE SUSTAINABLE DEVELOPMENT, POVERTY, CONSUMPTION, POPULATION}

WE BELIEVE IT MAKES SENSE TO CLUSTER FRESHWATER, OCEANS AND COASTAL ZONES AND WOULD LIKE TO SEE THESE TOPICS ADDRESSED IN 1995. THIS WOULD PROMOTE TIMELY INTERNATIONAL ACTION ON FRESHWATER {A SUBJECT THAT HAS NOT RECEIVED MUCH COORDINATED INTERNATIONAL ACTION AND THAT IS IMPORTANT IN THE MIDDLE EAST AND AFRICA}, AS WELL AS PROVIDE A USEFUL REVIEW OF OCEANS ISSUES, INCLUDING FOLLOW-UP TO THE HIGH SEAS CONFERENCE AND THE NETHERLANDS WORLD COAST '93 CONFERENCE AND THE CONFERENCE ON SMALL ISLAND STATES SCHEDULED FOR 1993 AND 1994 RESPECTIVELY. WE COULD ADDRESS LAND DEGRADATION ISSUES THROUGH FOLLOW-UP ON THE DESERTIFICATION AND BIODIVERSITY CONVENTIONS AND CONSIDERATION OF THE QUESTIONS OF LAND USE, SUSTAINABLE AGRICULTURE AND MOUNTAINOUS REGIONS.

THE CROSS CUTTING THEME IN 1995 SHOULD BE "CRITICAL ELEMENTS OF SUSTAINABILITY", INCLUDING INTERNATIONAL COOPERATION TO INTEGRATE ENVIRONMENT AND DEVELOPMENT, POVERTY, POPULATION {FOLLOW-UP TO 1994 CONFERENCE} AND CONSUMPTION. (5)

-- 1996: NEW CLUSTER X {FORESTS AND ATMOSPHERE} AND CLUSTER V {MAJOR GROUPS AND NGOS/PUBLIC PARTICIPATION}

IT IS IMPORTANT TO THE US TO POSTPONE DISCUSSION OF FORESTS AND ATMOSPHERE IN THE CSD UNTIL 1996. THE PROPOSED UN COMMISSION ON FORESTS WOULD NOT FINISH ITS WORK UNTIL 1995. WE BELIEVE THE CSD MIGHT BE IN A POSITION IN 1996 TO HELP MOVE THE INTERNATIONAL COMMUNITY TOWARD A FOREST CONVENTION, SOMETHING THAT WOULD BRING LUSTER TO THE CSD AND MESH WITH A LONG STANDING US GOAL.

A DISCUSSION IN 1996 OF ATMOSPHERE ISSUES {WHICH INCLUDES ENERGY USE, OZONE AND TRANSBOUNDARY POLLUTION, IN ADDITION TO CLIMATE} WOULD FALL AFTER THE FIRST MEETING OF THE PARTIES TO THE CLIMATE CONVENTION LIKELY IN EARLY '95 AND THE SECOND IPCC ASSESSMENT TO BE PUBLISHED IN THE FALL OF 1995. IT WOULD PROVIDE A HALF-WAY MARK BETWEEN SIGNATURE OF THE CONVENTION AND THE END OF THE DECADE TO REVIEW PROGRESS TOWARD MEETING CONVENTION COMMITMENTS ON GREENHOUSE GASES. SUCH A REVIEW WOULD ALSO FOCUS ATTENTION ON TECHNOLOGY COOPERATION AND PROGRESS TOWARD GREATER ENERGY EFFICIENCY AND CLEANER ENERGY SOURCES.

WE BELIEVE THAT ATTENTION SHOULD ALSO FOCUS ON NGO PUBLIC PARTICIPATION AND MAJOR GROUPS IN 1996. WE NEED TIME TO SEE HOW NGO PARTICIPATION EVOLVES AND HOW PUBLIC PARTICIPATION CAN BE FURTHER STRENGTHENED IN LIGHT OF NEW STANDARDS SET AT UNCED. THE SAME RATIONALE HOLDS TRUE FOR ASSESSING PROGRESS ON PRIORITIES OF MAJOR GROUPS, AN ISSUE TOO BROAD TO ADDRESS ON A YEARLY BASIS OR IN THE ABSENCE OF EVOLVING EXPERIENCE AND ACTIVITIES.

-- 1997: REVIEW OF UNCED FOLLOW-UP FOR UNGA SPECIAL SESSION

THIS SESSION WOULD INCLUDE A CLOSE LOOK AT PROGRESS ON INTEGRATING ENVIRONMENT AND DEVELOPMENT IN THE UN SYSTEM, THE STATUS OF INTEGRATING ENVIRONMENT AND DEVELOPMENT IN POLICY FORMATION AND DECISION MAKING, NATIONAL ACTION, AND THE IMPLEMENTATION OF MAJOR LEGAL INSTRUMENTS SUCH AS CITES, RAMSAR, CLIMATE, LRTAP, MONTREAL PROTOCOL, BIODIVERSITY, DESERTIFICATION, ETC.

-- ONGOING FUNCTIONS OF THE CSD:

ONCE SUBSTANTIVE CLUSTERS HAVE BEEN AGREED TO, IT WILL BE NECESSARY TO CLARIFY HOW THEY WILL BE EXAMINED AND WHAT OTHER ELEMENTS WILL MAKE UP THE WORK OF THE CSD AND ITS SECRETARIAT ON A REGULAR BASIS. AT A MINIMUM, WE HAVE IDENTIFIED THE FOLLOWING ITEMS WE THINK SHOULD BE ON ANY CSD AGENDA:

-- THE ACC-IACSD REPORT, ENCOMPASSING UN SYSTEM COORDINATION;
-- SECRETARIAT COMMENTARY AND CONCLUSIONS BASED ON SHARED NATIONAL INFORMATION {REPORTS};

-- INPUT FROM THE HIGH LEVEL ADVISORY COMMITTEE;

-- INPUT FROM THE BRETTON WOODS INSTITUTIONS {FINANCE};

-- REVIEW {BASED ON SECRETARIAT PAPERS} OF HOW ISSUES ARE BEING DEALT WITH WITHIN THE UN SYSTEM AND ON A REGIONAL BASIS {INCLUDING THROUGH REGIONAL COMMISSIONS}, CONSIDERING IN PARTICULAR THE EFFICACY OF DELIVERY ON THE GROUND AND THEN LOOKING AT THE ADEQUACY OF INSTITUTIONAL INFRASTRUCTURE AND

CAPACITY, POLICY FRAMEWORKS, FINANCE AND TECHNOLOGY
COOPERATION (ROUGHLY ANALOGOUS TO PROPOSED CLUSTER IV); AND
-- RECOMMENDATIONS OR DECISIONS ON INSTITUTIONAL AND
SUBSTANTIVE ISSUES TO BE APPROVED BY THE CSD MEMBER STATES FOR
TRANSMITTAL TO ECOSOC FOR ACTION OR THROUGH ECOSOC TO THE UNGA.

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-- USDEL SHOULD EMPHASIZE THE IMPORTANCE OF CONSIDERING THE
OPERATIONAL IMPLICATIONS OF ALL THE ACTIVITIES MENTIONED ABOVE
AND URGE FURTHER STREAMLINING AND FOCUSING OF PLANS FOR CSD
WORK, AS WELL AS ITS FULL INTEGRATION INTO THE LARGER ECOSOC
REVITALIZATION FRAMEWORK.

YY

UNCLASSIFIED

Katie:

This seems to me part of the foreign assistance PRD. I think the goal is to set priorities for foreign assistance among the listed topics -- in other words, it's almost a bureaucratic exercise to (a) understand what is in the budgets across agencies in these areas, and (b) eventually set priorities among them.

It seems unrelated to the other PRDs that are around on the individual areas (I think 5 or 6 have already been initiated. You may want to point out that we re covering foreign assistance on environment in PRD - 12.

Eileen

For 1:30
meeting

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. briefing paper	International Programs and Resources (3 pages)	00/00/0000	P1/b(1)

COLLECTION:

Clinton Presidential Records
Council on Environmental Quality
Kathleen "Katie" McGinty
OA/Box Number: 2612

FOLDER TITLE:

United Nations (Climate) [2]

2012-0769-F

kc1947

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
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RR. Document will be reviewed upon request.

315-3874

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PAGE 1 OF 16 PAGES

DATE: 2/19/93

FROM: David SCHIELE

TO: 1) ID/T - JOHN MCGUINNESS

OFFICE/TEL: _____ FAX: 78902

2) OES/ENV - S SKINNEY

OFFICE/TEL: _____ FAX: _____

SUBJECT: CSD - SEEGEN Proposal for a
"Multi-year Thematic Programme of Work"

_____ROUTINE_____ PRIORITY _____ URGENT

COMMENTS: The attached draft will be one of
the major documents for discussion by the CSD next
week.

David

This just in! It's informally
available to all and sundry in NY,
including NGOs. Desai is holding
an open briefing/discussion at
noon, Monday on the CSD's work-
NGOs will surely attend. JMC S.



United States Department of State
Bureau of Oceans and International
Environmental and Scientific Affairs

Washington, D.C. 20520

RAPIDFAX

CANON FAX-620

Date: _____

Time: _____

TO:

Name: Dennis Fisher

TEL. No. _____

Office Symbol/Number Avst. EMB

Fax No. 747-3073

Document Description: CSB DR

Pages to Follow: 16

FROM:

Name: Stephane

Tel. No.: _____

Office Symbol/Number _____

Fax No.: 647-5947

MESSAGE

no promised

19 February 1993

COMMISSION ON SUSTAINABLE DEVELOPMENT

**Organizational Session
24-26 February 1993
Item ... of the provisional agenda**

Proposals for a Multi-year Thematic Programme of Work

Report of the Secretary-General

Introduction

1. The General Assembly, in paragraph 12 of its resolution on the Commission for Sustainable Development recommended "that the Commission, at its first substantive session, adopt a multi-year thematic programme of its work that will provide a framework to assess progress achieved in the implementation of Agenda-21 and to ensure an integrated approach to all of its environment and development components as well as the linkages between sectoral and cross-sectoral issues. This programme could be of clusters that would integrate, in an effective manner, related sectoral and cross-sectoral components of Agenda-21 in such a way as to allow the Commission to review the progress of the implementation of the entire Agenda-21 by 1997. This programme of work could be adjusted, as the need may arise, as the future sessions of the Commission."

Functions of the Commission

2. The General Assembly, in paragraph 3 of its resolution 47/191, "recommended that the Commission shall 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;
- (b) To consider information provided by Governments, including, for example, in the form of periodic communications or national reports regarding the activities they undertake to implement Agenda-21, the problems they face, such as problems related to financial resources and technology transfer, and other environment and development issues they find relevant;
- (c) To review the progress in the implementation of the commitments contained in Agenda-21, including those related to the provision of financial resources and technology transfer;

- (d) To review and monitor regularly progress towards the United Nations target of 0.7 per cent of the gross national product of developed countries for official development assistance. This review process should systematically combine the monitoring of the implementation of Agenda-21 with the review of financial resources available;
- (e) To review on a regular basis the adequacy of funding and mechanisms, including efforts to reach agreed objectives of Chapter 33 of Agenda-21, including targets where applicable;
- (f) To receive and analyze relevant input from competent non-governmental organizations, including the scientific and the private sector, in the context of the overall implementation of Agenda-21;
- (g) To enhance the dialogue, within the framework of the United Nations, with non-governmental organizations and the independent sector, as well as other entities outside the United Nations system;
- (h) To consider, where appropriate, information regarding the progress made in the implementation of environmental conventions, which could be made available by the relevant Conferences of Parties;

- (i) To provide appropriate recommendations to the General Assembly, through the Economic and Social Council, on the basis of an integrated consideration of the reports and issues related to the implementation of Agenda-21;
- (i) To consider, at an appropriate time, the results of the review to be conducted expeditiously by the Secretary-General of all recommendations of the Conference for capacity-building programmes, information networks, task forces and other mechanisms to support the integration of environment and development at regional and subregional levels. "

3. The General Assembly, in paragraph 4 of its resolution, "Also recommended that the Commission shall:

- (a) Promote the incorporation of the principles of the Rio Declaration on Environment and Development in the implementation of Agenda-21;
- (b) Promote the incorporation of the Non-legally Binding Authoritative Statement of Principles for a Global Consensus on the Management,

Conservation and Sustainable Development of All Types of Forests^{1/} in the implementation of Agenda-21, in particular in the context of the review of the implementation of Chapter 11 thereof;

- (c) Keep under review the implementation of Agenda-21, recognizing that it is a dynamic programme that could evolve over time, taking into account the agreement to review Agenda-21 in 1997, and make recommendations, as appropriate, on the need for new cooperative arrangements related to sustainable development to the Economic and Social Council, and through it, to the General Assembly."

4. The General Assembly, in paragraph 5 of its resolution, decided "that the Commission, in the fulfillment of its functions, will also:

- (a) Monitor progress in promoting, facilitating and financing, as appropriate, the access to and the transfer of environmentally sound technologies and corresponding know-how, in particular to developing countries, on favourable terms, including on concessional and preferential terms, as mutually agreed, taking into account the need to

^{1/} See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June (A/CONF.151/26, vol. III.

protect intellectual property rights as well as the special needs of developing countries for the implementation of Agenda-21;

- (b) Consider issues related to the provision of financial from all available funding sources and mechanisms, as contained in paragraphs 33.13 to 33.16 of Agenda-21."

5. Moreover, the General Assembly, in paragraph 14 of its resolution, "Recommends that in order to carry out its functions and implement its work programme effectively the Commission consider organizing its work on the following lines:

- (a) Financial resources, mechanisms, transfer of technology, capacity-building and other cross-sectoral issues;
- (b) Review of implementation of Agenda-21 at the international level, as well as at the regional and national levels, including the means of implementation, in accordance with paragraph 12 above and the functions of the Commission, taking into account, where appropriate, information regarding the progress in the implementation of relevant environmental conventions;

- (c) A high-level meeting, with ministerial participation, to have an integrated overview of the implementation of Agenda-21, to consider emerging policy issues and to provide necessary political impetus to the implementation of decisions of the United Nations Conference on Environment and Development and commitments contained therein."

Programme of Work

6. The General Assembly, in paragraph 13 of its resolution, requested the Secretary-General to submit his proposals for such a programme of work during the Organizational Session of the Commission. The purpose of this present report is to propose a possible outline for such a programme.

7. The Organizational Session of the Commission will wish to consider very carefully the "clusters" which should be adopted both to provide the framework and to guide the process for the Programme of Work. The clusters suggested in the annex to this report draw primarily upon the structure of Agenda-21 itself, further developed to respond to the specific requirements of resolution 47/191 of the General Assembly. These proposals are neither intended to be prescriptive nor to limit possible options. Their main purpose at this stage is to stimulate ideas to enable the programme to be shaped as precisely as possible to the wishes of the Commission. They are also intended to serve as a vehicle to enable a rational, systematic and coherent approach to assessing in measurable terms progress made

since the United Nations Conference on Environment and Development in Rio de Janeiro in June 1992. Moreover, they have been designed to facilitate the emergence of recommendations, especially upon urgent and major emerging issues, to be addressed in the course of the high-level meeting of the Commission, with particular reference to the need for the Commission to be able to focus as clearly as possible upon its priorities and the strategic direction of its future work.

8. Annex 1 groups the chapters of Agenda-21 into nine broad clusters. Each cluster includes a set of inter-connected chapters which could be advantageously reviewed together. The titles of the clusters and the numbers of the chapters included in each are given below:

1. Critical elements of Sustainability (Chapters 2-5)
2. Financial Resources and Mechanisms (Chapter 33)
3. Education, Science and Technology (Chapters 16, 34-36)
4. Decision-making Structures (Chapters 8, 37-40)
5. Roles of major groups (Chapters 23-32)
6. Land, Forests and Biodiversity (Chapters 10-15)
7. Atmosphere, Oceans Freshwater (Chapters 9, 17, 18)
8. Health and Human Settlements (Chapters 6, 7, 21)
9. Toxic Chemicals and Hazardous Wastes (Chapters 19, 20, 22)

9. The first five clusters are broadly cross-sectoral in nature and could be reviewed annually under part (a) of the structure suggested in paragraph 14 of General Assembly resolution 47/191. The last four are broadly sectoral in nature and could be covered in three years -- cluster 6 in one year, cluster 7 in another and clusters 8 and 9 together in the third. The time sequencing of consideration of these clusters is a matter that the Commission must decide, taking into account the timing of related events like:

- The timetable for the negotiating processes for the Convention on Desertification and for the Framework Convention on Climate Change;
- Follow-up conferences to UNCED, notably the Global Conference on the Sustainable Development of Small Island Developing States in April 1994 and the Intergovernmental Conference on Straddling and Migratory Fish Stocks in July 1993;
- Major UN Conferences scheduled for this period, notably the International Conference on Population and Development in September 1994, the World Summit on Social Development in 1995 and the Fourth World Conference on Women in September 1995.

10. Given the constraints of time and the need to consider the multi-year thematic programme of work at the first substantive session of the Commission in 1993, it is suggested that the first comprehensive review be scheduled for 1994. With a three-year

schedule for the sectoral clusters, all areas could be covered by 1996. The 1997 session of the Commission could be used for an overall review in order to prepare for the proposed Special Session of the General Assembly in that year.

11. The thematic reviews of Agenda-21 would have to draw on a variety of sources of information, including, inter alia:

- Studies and reports on related themes prepared for various UN intergovernmental bodies;
- Information provided by Governments, including, for example national reports or periodic communications;
- Other information in the public domain in national and international sources.

Other possible considerations

12. In determining the likely shape, size and content of the Multi-year Thematic Programme of Work, the Organizational Session might also wish to give consideration to a number of additional matters, such as:

- (i) How a continuous and meaningful assessment of progress towards sustainable development might most effectively be made by the Commission. One possibility might be to develop realistic, usable and understandable indicators of progress based on a steady supply of accurate and comparable data towards goals such as the provision of opportunities to enable people everywhere to earn a sustainable livelihood, the provision of cleaner and less-polluted air, and the provision of safe and reliable supplies of fresh drinking water;
- (ii) How the review by the Commission should be seen as an occasion for a major stock-taking rather than a duplication of the detailed programmatic reviews that may take place in other forums like the governing bodies of the implementing agencies and how the review could generate new ideas, especially given the recognition in paragraph 4(c) of resolution 47/191 that Agenda-21 "is a dynamic programme that could evolve over time, taking into account the agreement to review Agenda-21 in 1997";

- (iii) How the integrated nature of environment and development and the cross-linkages between sectoral and cross-sectoral issues can best be reflected in the review process;
- (iv) Whether there might be a need for a process - and if so what kind - to distil data and pre-evaluate progress to enable the Commission at its substantive session to focus its energies as clearly as possible upon the key issues requiring a policy dialogue;
- (v) How the follow-up process embodied in the Programme of Work might best contribute to a meaningful partnership between all the key players concerned in the environment and development debate.

Conclusions

13. The Organizational Session of the Commission is invited to consider the proposals for the grouping of Agenda-21 into thematic clusters as annexed to this report, to indicate a time-schedule for the review of these thematic clusters, and to provide the necessary guidance to enable this to be developed into a fully comprehensive document for consideration at the first substantive meeting of the Commission to be held from 14-25 June 1993.



United States Department of State

Bureau of Oceans and International
Environmental and Scientific Affairs

Washington, D.C. 20520

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Date: 3/8/93Time: 3:40 pmTO:Name: IWG Sub-Group MembersTEL. No. See attached

Office Symbol/Number _____

Fax No. See attachedDocument Description: CSD mtg 3/9/93 Pages to Follow: 6*****
*****FROM:Name: Stephanie Smith Kinney Tel. No.: 647-9312Office Symbol/Number OES/ENV, 4325 Fax No.: 647-5947*****
*****MESSAGE

As promised per attached memo

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Curtis Bohlen to Dan Blank et al re Organizational Meeting for CSD Policy Review [partial] (1 page)	03/08/1993	P3/b(3)

COLLECTION:

Clinton Presidential Records
Council on Environmental Quality
Kathleen "Katie" McGinty
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United Nations (Climate) [2]

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financial institutions [(b)(8) of the FOIA]
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concerning wells [(b)(9) of the FOIA]

[002]



United States Department of State

*Bureau of Oceans and International
Environmental and Scientific Affairs*

Washington, D.C. 20520

March 8, 1993

TO: IWG Sub-Group Members on the UN Commission on
Sustainable Development (CSD):

OEB: Dan Blank 456-6231

OMB: Janet Piller 395-5651

(b)(3)

EPA: Alan Hecht 260-4470

Mark Kindall

NOAA: Tom Laughlin 482-4307

AID: Barbara Upton 647-5189

DOJ: Chuck Sheehan 514-0557

Annie Petsonk

USTR: Marissa Perrone 395-3911

CEA: Natalie Tawil 395-6947

NSF: Joseph Bordogna 357-9421

William Butcher 357-5166

USDA: Ron Blackley 720-5437

DOE: Ted Williams 586-2062

DOI: David Williams 208-5902

OSTP: Nancy Maynard 395-3719

Treas: Michael Kaplan 622-1228

FROM: Curtis Bohlen, Chair

SUBJECT: Organizational Meeting for CSD Policy Review

I will convene an IWG sub-group meeting on the newly established UN Commission for Sustainable Development (CSD) on Tuesday, March 9, at 3:00 p.m. in Room 7835 at the Department of State. This meeting is a follow-up to the February 25 IWG meeting that was convened to organize work on the global environmental policies and programs reviews called for in Presidential Review Directive (PRD) Number 12.

The purpose of this meeting is to review and provide comments on our outline for the proposed CSD policy review paper. We will provide this outline to you by no later than noon on Monday.

Please let us know--by no later than COB Monday, March 8, at 647-9266--if you, or another individual in your Agency, will attend so that we can take steps to arrange for preclearances into the Department.

OUTLINE
POLICY REVIEW PAPER:
UN COMMISSION ON SUSTAINABLE DEVELOPMENT (CSD)
(PRD/NSC-12 item 10)

PART I: ASSESSMENT

1. Introduction and Context

- Twenty years after Stockholm Conference: growing interest in integrating environmental and economic concerns to promote sustainable growth and development
- Brundtland Commission and the World Commission on Environment and Development (WCED) Report: "sustainable development"
- Action forcing event: United Nations Conference on Environment and Development (UNCED), also known as the Earth Summit, June 1992 in Rio.

2. Description of Current Policy involving the CSD

- USG supported Agenda 21 with caveats; we have strongly supported the creation of the CSD as articulated in Agenda 21 (Chapter 38) and UNGA Resolution 47/191
- Key U.S. Policy statements:
 - U.S. speech at UNCED Prepcom 3, August 1991 on institutional follow-up
 - U.S. position at UNCED Prepcom 4, March 1992
 - U.S. Statement at ECOSOC organizational meeting, February 5, 1993.
- Congressional interest

3. Current international situation and likely future course

- ECOSOC Organizational Meeting of 2/2-12
 - Establishment of CSD as functional commission (E/1993/L.9, decision IV)
 - Rules of Procedure including NGOs and question of EC membership (E/1993/L. 11 and E/1993/ L. 17 and 18)
 - Establishment of High Level Advisory Board (E/1993/L. 15)
- CSD Organizational Meeting of 2/24-26
 - Agenda for June (CSD Draft decision I of 2/26/93)
 - Organization of CSD Work (CSD Draft decisions II and III of 2/26/93)

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-- Longer Term, Underlying Issues and Interests

- Group of 77: developing countries (NICs and LDCs)
- EC
- Japan
- CANZ Group
- Nordic Group
- Russia and Eastern Europe
- Others: UN system, Bretton Woods organizations, business, science, environment, development, major groups

-- What we can expect in the next five years:

- continued interest with greater emphasis on N-S issues characterized by a "dynamic tension" between Western focus on sustainable development planning and implementation (integration of environmental concerns into all aspects of economic development) and G-77 focus on getting more development assistance with fewer conditions
- slow progress institutionally and politically on building a "partnership" approach to reconcile these different but potentially compatible interests, providing OECD countries lead by example in applying the principle of sustainable development at home and provide assistance bilaterally and through multilateral institutions to help developing countries develop their own sustainable development plans and related investment projects.

4. Linkages Between the CSD and Other International and Domestic Environmental Issues

-- CSD will provide high level, international focal point for integrating environment and development policy concerns related to:

- reform/revitalization of UN system (ECOSOC, UNEP, UNDP, FAO, Bretton Woods institutions, etc.), in the economic and social sectors, primarily by using sustainable development as an organizing principle for imposing real coordination of UN system-wide economic and social activities;
- development and implementation of UN system-wide environment and sustainable development program; and
- regional and national efforts to comply with Agenda 21.

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-- Internationally, the CSD can be a useful instrument for promoting U.S. objectives related to:

- UN reform;
- development assistance reform at home and abroad;
- improved coordination and procedures among and within the IFIs that will provide financing for environment and development activities;
- greater international cooperation between developed and developing countries, especially in the areas of environment and development.

-- Domestically, U.S. participation in the CSD will require us to take a coordinated approach to rethinking and possibly revamping policy and programs in the following areas:

- development assistance, especially as regards environmentally sound technology cooperation with developing countries;
- international financial assistance for environment and development;
- integrated decision making and the use of full cost accounting;
- international cooperative scientific research;
- role of major groups and public participation in decision making;
- population;
- fresh water, oceans and coastal zones;
- land use, forests and biodiversity;
- transboundary pollution, energy efficiency and alternative energy sources; and
- toxic chemicals and hazardous wastes.

5. Pending Questions

A. Substantive Policy Issues

-- What is our working definition of "sustainable development"? Are we prepared to use this concept to help inform and organize our foreign policy related to development assistance, North-South dialogue, and multilateral social and economic activities, including multilateral finance, science and technology cooperation and trade policy? Are we prepared to incorporate it in domestic policy formulation, especially as it relates to energy, scientific R&D, technology development, transportation, trade, natural resource management, and waste management.

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-- Assuming the U.S. wants to play a leading role in the CSD, what should be our primary objective(s)? What should be our secondary objectives?

-- What should be the relationship between the CSD and the Bretton Woods institutions? How prepared is the US to provide new and additional financial assistance?

-- What are U.S. priorities related to the implementation of Agenda 21? (How much do we focus on which issues? To what extent do we want to rely on existing programs and activities? Initiate new ones? Should there be a separate budget for the CSD or UNCED follow-up, in addition to reliance on UNDP and the specialized agencies to implement Agenda 21, along with GEF and Bretton Woods IFI support? Or should the CSD concentrate on its primary monitoring and coordination role?)

B. Policy Process Issues

-- Will the US have a National Agenda 21 Action (Implementation) Plan? If so, how should the Plan be prepared? Who leads? Who decides content? Who publishes? Who pays (staff and budget)?

-- What process should the USG use for coordinating domestic and international actions related to the implementation of Agenda 21?

-- How will the U.S. handle reporting to the CSD? Who should prepare and who should pay for the reporting? What are other associated costs?

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PART II. OPTIONS FOR POLICY

6. U.S. GOALS and OBJECTIVES

The character of the CSD will be defined by the most conservative and strident elements of the Group of 77 of developing countries. Hence this is an institution that at best can only be built and strengthened through careful confidence building over time. In this context, the U.S. can aspire to the following goals and objectives:

GOAL: Foster purposeful dialogue among governments to promote sustainable economic growth and development

OBJECTIVE: firmly establish a CSD information exchange (reporting) process that is based on the preparation and presentation of national plans (Agenda 21 action plans/sustainable development plans) by all countries (including U.S.). Such reporting might be done:

.. piecemeal, with year-by-year submissions on topics on CSD's annual agenda;

.. in an integrated manner, with certain countries or regions addressed in a given year;
or

.. some combination of the two, with integrated or comprehensive plans from Western countries and piecemeal, evolving plans from developing countries.

GOAL: promote greater coordination, enhanced efficiency and effectiveness in economic/social sectors of the U.N. system:

OBJECTIVE: preparation and presentation of system-wide environment and sustainable development program; formal adoption by all relevant agencies/programs.

GOAL: respond constructively to G-77 desire for more and better development assistance, encouraging especially the newly industrializing countries (NICs) to move into the mainstream and adopt a more pragmatic approach to problem solving than in the past.

OBJECTIVE: revamp bilateral foreign assistance to support sustainable development and implement Agenda 21; strengthen support for the GEF and get IFIs fully involved in implementing Agenda 21 and cooperating/coordinating with CSD; promote international environmental technology cooperation through a well-defined U.S. initiative that involves both the private and public sectors.

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General Assembly

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12 March 1993

ORIGINAL:
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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Seventh session
New York, 15-19(20) March 1993
Item 4 of the provisional agenda

DATES OF SIGNATURE AND RATIFICATION OF THE
UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

TEXT ADOPTED AT NEW YORK ON 9 MAY 1992
OPENED FOR SIGNATURE AT RIO DE JANEIRO FROM 4 TO 14 JUNE 1992
AND THEREAFTER AT UNITED NATIONS HEADQUARTERS, NEW YORK
FROM 20 JUNE 1992 TO 19 JUNE 1993

SUMMARY
(as at 11/03/93)

THE CONVENTION HAS RECEIVED 160 SIGNATURES
AND 15 RATIFICATIONS:

- | | |
|-----------------------------|---------------------------|
| 1. Mauritius | 9. Australia |
| 2. Seychelles | 10. China |
| 3. Marshall Islands | 11. Saint Kitts and Nevis |
| 4. United States of America | 12. Antigua and Barbuda |
| 5. Zimbabwe | 13. Ecuador |
| 6. Maldives | 14. Fiji |
| 7. Monaco | 15. Mexico |
| 8. Canada | 16. PNG |

EC - all 12 will depend together. making ratif. dependent on acceptance of burden sharing
John: in late meeting in Ecu. April minutes - Demand by high crops countries

Note: This document contains information concerning dates of signature and ratification received from the Depositary, United Nations Office of Legal Affairs, New York, as at 11 March 1993. The dates in the column on ratification are those of the receipt of the instrument of ratification by the Depositary.



17 March 1993

Intergovernmental Negotiating Committee
For a Framework Convention
on Climate Change

Seventh INC-FCCC
15 - 21 March 1993, New York

Statement by the German Delegation
on Item 5: Future Sessions of the Committee

Mr. Chairman,

Thank you very much for giving me the floor to share my Government's deliberations on the eventual timing for the first Conference of the Parties of the Framework Convention on Climate Change with you and other colleagues here.

As you all may recall, Germany at the second part of the Fifth Session of this Committee extended an invitation to host the first Conference of the Parties (CoP), reaffirmed by the German Chancellor Helmut Kohl at UNCED in Rio last year.

My Government felt very honoured when the General Assembly in its Resolution 47/195 welcomed our invitation to host this first session of the CoP, which is to be held - as the Convention stipulates in Art. 7 para 4 - not later than one year after the date of entry into force of the Convention.

In addition to this time frame the scheduling of the first CoP is also dependent upon the tasks allocated to the first CoP by the Convention. Let me especially mention the review of the adequacy of developed countries' commitments. This review can only be accomplished successfully if the necessary information is available. Therefore we think that we should await the detailed information to be submitted by these developed country Parties to the CoP through the Secretariat within 6 months after entry into force of the Convention. I take it that we should also allow some time for the Secretariat to

prepare documents on the basis of this information for the above-mentioned review as well as the assessment of the implementation of the Convention to be conducted by the CoP according to Art. 4 para 2 d) and Art. 7 para 2 e).

These assumptions leave us with more or less the last quarter of the one year period allowed by the Convention to hold the first CoP.

If, in addition, we start from the assumption that the 50th instrument of ratification hopefully might be deposited by the end of this year or early next year the Convention might enter into force in early 1994.

My Government would therefore be at the disposal of this Committee and the Secretariat to plan for the first CoP in early 1995.

Thank you, Mr. Chairman.

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INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR A FRAMEWORK
CONVENTION ON CLIMATE CHANGE
Seventh session
New York, 15-20 March 1993
Agenda item 7

ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS SEVENTH SESSION

Draft report*

Rapporteur: Maciej SADOWSKI (Poland)

Addendum

CONTENTS

- I. INTRODUCTION
- II. ORGANIZATIONAL MATTERS
 - A. Opening of the session
 - B. Election of officers
 - C. Adoption of the agenda
 - D. Organization of work
 - E. Attendance
 - F. Documentation

* The present document contains section VI of the report.. Sections I and II are contained in document A/AC.237/L.17, and sections V and VII in document A/AC.237/L.17/Add.1. The remaining sections will be issued in further addenda.



General Assembly

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INTERGOVERNMENTAL NEGOTIATING
COMMITTEE FOR A FRAMEWORK
CONVENTION ON CLIMATE CHANGE
Seventh session
New York, 15-20 March 1993
Agenda item 2

MATTERS RELATING TO ARRANGEMENTS FOR THE FINANCIAL MECHANISM AND FOR TECHNICAL AND FINANCIAL SUPPORT TO DEVELOPING COUNTRY PARTIES

Group of 77 and China: draft decision

Recommendations of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change to the Global Environment Facility

The Intergovernmental Negotiating Committee for a Framework Convention on Climate Change decides:

(a) That in accordance with article 11 and article 21.3 of the Framework Convention on Climate Change (FCCC), the Global Environment Facility (GEF) shall be appropriately restructured and its membership made universal, and as an interim operating entity under the Convention, the GEF shall base its work on the policies, programme priorities and eligibility criteria determined by the Conference of the Parties (COP) of the Climate Change Convention;

(b) That in those aspects of its work which relate to climate change, the GEF, as the interim operating entity of FCCC, shall finance the activities specified in articles 4, 5 and 6 of the Convention bearing in mind, in particular, the provisions of article 4.3;

(c) That in line with article 11.3 of the Convention, the Conference of the Parties will, after each one of its sessions, communicate to the GEF/Participants Assembly (PA) the relevant guidance and decisions for implementation and action by GEF/PA, which shall, accordingly, adapt its work in the field of climatic change;

(d) That the GEF/PA shall submit regular reports to the COP on its activities in the field of climate change and in particular on the implementation of the guidance and decisions communicated by the COP;

(e) That a special window of GEF dedicated to the Framework Convention on Climate Change from GEF shall be from a distinct and identifiable fund within GEF in order to ensure adherence to article 11.

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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR
A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Seventh session
New York, 15-20 March 1993
Agenda item 7

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Draft report*

Rapporteur: Maciej SADOWSKI (Poland)

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A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Seventh session
New York, 15-20 March 1993
Agenda item 7

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