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CRS Report for Congress

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United Nations Conference on Environment and Development (UNCED): Brazil 1992

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SUMMARY

In 1989, the General Assembly of the United Nations called for a United Nations Conference on Environment and Development (UNCED) to be held in June 1992 in Rio de Janeiro, Brazil. The Conference will take up a wide range of global environmental and development issues. It is the hope of UNCED organizers that major international conventions will be completed and opened for signature at the conference. A global climate protection convention and a biological diversity convention are under negotiation in other forums, and the United States is strongly encouraging a world forest convention. The United States, according to State Department spokesmen, places a high priority on forest management and oceans conservation issues. There are several areas where potential for international tensions is likely to be the greatest--additional financing for environmental protection activities in developing countries; environmental technology transfer; creating economic incentives for environmentally sustainable resource management; and institutional and legal issues for more effective international environmental protection.

Questions with regard to domestic issues revolve around whether the U.S. preparations for the Conference are adequately staffed and coordinated among the many Federal agencies involved in key issue areas; and whether adequate public participation and consultation is involved in preparations of U.S. positions on key issues, as well as in preparation of the national report required of all participants. It is likely that both the domestic preparations and the U.S. positions on international issues will continue to be the subject of congressional hearings during the coming year.

Background

Established by U.N. General Assembly Resolution 44/228, adopted December 22, 1989, the UNCED will last two weeks, June 1 - 12, 1992. It is timed to coincide with the 20th Anniversary of the 1972 Stockholm Conference on the Human Environment, and is expected to be a meeting at the level of

heads of state. It is intended to be a major culmination of the growing international concern over the global environment, and an opportunity for the world's nations to reach some consensus on how to approach the major global environment and development linkages.

The U.N. resolution establishing the conference lists the major issues to be taken up as follows:

- protection of the atmosphere by combating climate change, depletion of the ozone layer, and transboundary air pollution;
- protection of the quality and supply of freshwater resources;
- protection of the oceans and other seas;
- protection and management of land resources, including combating deforestation, desertification, and drought;
- conservation of biological diversity and environmentally sound management of biotechnology;
- environmentally sound waste management;
- improvement of the environment of the poor in both urban and rural areas;
- protection of human health and improving quality of life.

A major emphasis will be on methods of strengthening international cooperation for environmental management and protection. The resolution mentions a large number of other objectives, including identification of "ways and means to provide additional financial resources for measures directed towards solving major environmental problems of global concern...."

The United States, along with a number of other countries, is reluctant to entertain the prospect of providing additional financial resources for environmental protection in other countries. Its position is that needed financial resources should be redirected from expenditures in other areas, particularly those that may have negative impacts on the environment; any additional resources, the United States is arguing, should come from the new "Global Environment Facility" established by the United Nations Development Program, the United Nations Environment Programme, and the World Bank.

However, the questions surrounding additional financial resources and the form in which they will be handled may prove to be among the most contentious issues between the North and South, i.e., between the industrialized/developed countries and the developing countries. In many issue areas, such as tropical deforestation and global atmospheric change, the industrialized countries perceive that their own environmental well-being depends upon changes in energy use or agricultural and natural resource development in other countries; yet many of the less developed countries express unwillingness to forgo the types of development practiced by the developed countries, unless they receive some compensation or economic incentives.

Organization of UNCED Preparations

Preparations are underway through a series of Preparatory Committee meetings ("Prepcoms") that began last August in Nairobi, Kenya. The second prepcom was held March 18 - April 5 in Geneva, Switzerland, and is to be followed by an August 12 - September 4 meeting, also in Geneva. At least one, and possibly two, more meetings will be held in New York prior to the conference in Rio de Janeiro.

The prepcoms are meetings of governments to establish policy; the chairman of the Preparatory Committee is former Singapore Ambassador to the United States, Tommy Koh. An independent Secretariat for the Conference has been established in Geneva under Secretary General Maurice Strong, a Canadian who was also the Secretary General of the 1972 Stockholm Conference. The Secretariat arranges the details of the Conference and provides background reports and information to participants; in addition, the influence of the Secretary General on the agenda and policy directions can be significant.

Preparatory work for the Conference is divided into working groups; and all nations may attend the Prepcom and participate in any and all of these groups. The actual negotiations and discussion often occur in "informal" meetings on specific issues formed within and by the Working Groups.

Working Group I is dealing with protection of the atmosphere, land resources (including forest protection and soil loss), biological diversity, and biotechnology.

Working Group II covers oceans, seas and coastal seas, freshwater resources, wastes, and toxics.

Working Group III was constituted at the March/April Prepcom meeting to deal with legal and institutional issues, and met to organize its terms of reference and agenda at that time. It will begin its debate and work at the third Prepcom in August/September.

Working Groups I and II were established and began work at the first Prepcom in August 1990 in Nairobi; the decisions at that meeting involved requests to the UNCED Secretariat for over 100 reports on specific issues. The decisions at the second Prepcom meeting in March/April 1991 primarily responded to the reports submitted by the Secretariat, modifying and refining the instructions to the Secretariat for completion or revision of these reports. These decisions also had the effect of further refining and clarifying the subject matter that is of interest and the likely future shape of the agenda for the meeting in Brazil.

Cross-cutting issues, such as technology transfer, additional financial resources, population, and others, have been taken up within individual issue

areas in each working group, but were also taken up generically in plenary meetings at the second Prepcum. No decisions on these issues were made at this last meeting, but it is expected that they will again be taken up in the plenary meetings for decisions at the next Prepcum.

Among the most prominent anticipated outcomes of the UNCED meeting, according to Secretary General Maurice Strong, are an "Earth Charter" containing the basic principles of environmentally sustainable development on which the nations of the world can agree, which will guide their actions in the future; and an "Agenda 21" program of action, which will identify action plans and specific measures needed to carry out these principles. The specifics of Agenda 21 are still under development, but are expected to include a computerized system that will allow monitoring of actions and records of activities all around the world related to the programs agreed upon at UNCED.

In addition, at the last Prepcum, conclusion of two major international treaties in time for signature at UNCED was stated as a goal by the Secretary General. The two treaties he mentioned were those on (1) climate change and (2) biological diversity. [It is important to note that the treaties themselves are not negotiated within the UNCED prepcum process, but within the separate negotiation processes established by the United Nations.]

Current Status: United States Preparations

The United States has been an active participant in the prepcum meetings. U.S. participation is being coordinated in the State Department under Curtis Bohlen, Assistant Secretary for Oceans and International Environmental and Scientific Affairs (known as "OES"). A U.S. coordinating office within OES (although housed in the offices of the Council on Environmental Quality (CEQ)) has been established under Ambassador Robert Ryan; it is coordinating input from a wide variety of U.S. agencies on key issues, including the National Oceanic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA), the U.S. Forest Service, the Agency for International Development (AID), and many others. Position papers are being prepared by these agencies in coordination with OES.

Each participating nation is expected to prepare a national report, in accordance with guidelines established by the United Nations, covering environmental activities in that country, and key issues it wishes to address. These reports are due for submission to the UNCED secretariat by July of 1991, although some delays are likely. The Council on Environmental Quality is responsible for preparation of the United States national report.

U.S. Priorities and Positions

According to OES, the United States has put the highest priority on two issue areas, in which it will pursue specific objectives: (1) forest management

and protection, and (2) oceans and coastal resources conservation. The United States is seeking completion of a binding international convention on forest conservation for signature at UNCED; discussions on such a convention have begun at an ad hoc level. However, the March-April Prepcom revealed extensive opposition to rapid conclusion of a legally binding forest convention by June of 1992. Although the final Prepcom decision left open the issue of the final form of consensus on forest management, it endorsed the idea of agreement on a strong statement of principles, "at a minimum."

U.S. objectives in the oceans area involve a wide array of marine and coastal resources conservation principles. At the March/April Prepcom, the United States submitted four extensive substantive papers covering the issues it felt to be the most important. The Prepcom decision document primarily urged completion of comprehensive report by the Secretariat requested at the Nairobi Prepcom, and refined the request for information on many of the issues sought by the United States.

The United States supports conclusion of a climate change convention by the 1992 Conference; negotiations on this are currently underway on a separate track through a United Nations International Negotiating Committee (INC). The United States is seeking to minimize discussion of climate change issues at UNCED prepcom meetings in order to preserve a "single negotiating forum" in the INC set up by the General Assembly. This past prepcom finalized a decision on climate change that may involve some future substantive discussion of the issue, but in the context of full recognition of the INC negotiations; the United States delegation was satisfied that the final wording of this decision will not impede the operations of the INC.

The United States also supports conclusion of a biological diversity convention, but many observers feel that the prospects for conclusion of this treaty by June 1992 are dim. The United States is participating in the negotiations underway under the auspices of the United Nations Environment Programme. A major objective of the U.S. position at the UNCED Prepcom in this issue was to keep substantive negotiation to a minimum in order to preserve the singly negotiating forum underway under UNEP. The U.S. also sought successfully at the Prepcom to keep biotechnology discussions separate from those on biological diversity. As was the case with other issues of the Working Groups, substantive decisions were deferred until the next prepcom, and the decision document primarily refined its requests for information from the UNCED Secretariat.

Congressional Role

Members of Congress will be part of the U.S. delegation to UNCED in 1992, if they request it. In the meantime, congressional activity will include oversight hearings during the preparatory process, and may also include introduction of resolutions concerning U.S. positions on specific issues, and informal

communications with the Administration concerning various proposed U.S. positions. Congressional staff will attend prepcom meetings and the 1992 meeting in official observer status.