

# EDITORIAL

*The core process for UNCSD (Rio+20) is now underway with the compilation text having been merged into a “Co-Chair’s proposal for a zero draft of the outcome document of the Conference”\* and transmitted to all permanent representatives to the United Nations on 10 January. At 19 pages, the draft is divided into five sections: Preamble/Stage setting; Renewing Political Commitment; Green Economy in the context of sustainable development and poverty eradication; Institutional Framework for Sustainable Development (IFSD); and Framework for action and following up. It recognises global problems and provides broad general support to sustainable development efforts. However, for our taste, there are too few firm commitments.*

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*Reflecting on the outcomes of initial discussions on 25–27 January amongst more than 100 representatives many States, while acknowledging that the text could be used as the basis for negotiations, called for the outcome to be more balanced, ambitious and action-oriented. As expected, the original text for the first two sections ballooned from 2.5 pages to over 31 pages by the time all of the proposals were incorporated.*

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*Looking towards deliberations on sections III–V, two crucial points concerning IFSD will surely garner a wealth of new proposals and could easily push the document to well over 100 pages. Paragraphs 49 and 49alt offer options for either reaffirming the role of the UN Commission on Sustainable Development (CSD) and improving its working methods for better implementation or transforming it into a Sustainable Development Council. Nonetheless, questions remain about the value of this change and what possibilities exist for strengthening the Economic and Social Council (ECOSOC). Paragraph 51 addresses the strengthening of the United Nations Environment Programme (UNEP) as compared to paragraph 51alt establishing a UN specialised agency for the environment. Both call for universal membership within UNEP’s Governing Council, but questions remain over whether financing and the overall mandate will be positively or negatively affected.*

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*In closing the meeting on 27 January, it was announced that delegations are to deliver their proposal amendments to sections III–V by 28 February for the next round of discussions. In the interests of providing alternative formulations from the environmental law community, we have appealed for alternative formulations to the draft language to be sent to us by 8 February for compilation and submission to the Convention Secretariat. The governance issues of CSD and UNEP, as well as proposals to negotiate a change to the Law of the Sea Convention to deal with the high seas, a set of Sustainable Development Goals, and the host-country proposal for a “global Aarhus Convention” giving further effect to Rio Principle 10 can benefit greatly from the insight of experienced practitioners.*

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*As coverage of the meeting in January by IISD Reporting Services confirms, negotiations on a paragraph by paragraph basis are up and running and it is important to provide input at every step. Although dissimilar to prior meetings of this scale, we feel that all approaches to shepherding the process are fine, as long as the political will exists to craft effective and lasting language.*

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*Lastly, the African Union along with Heads of State has announced that upgrading UNEP to a specialised agency will be the official African proposal for Rio+20.*

10 February 2012

*Wolfgang B. Stuy*