

CUTS Comments on Draft Negotiation Text for the Rio Earth Summit (Rio+20)

1. The Rio+20 Conference to be held in June 2012 at Rio de Janeiro, Brazil would mark the 20th anniversary of the 1992 UN Conference on Environment and Development. The objectives are to:

- secure renewed political commitment to sustainable development;
- assess the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development; and
- address new and emerging challenges.

2. With these objectives in mind a zero draft outcome document was released on 10th January 2012 inviting comments from stakeholders.

3. The following points highlight a non-exhaustive list of vital issues which are to be addressed in order for “the future we want”:

- The principle that a state has an obligation not to cause significant transboundary environmental damage is accepted as a rule of international law. Both Principle 21 of the Stockholm Declaration and Principle 2 of the Rio Declaration, while recognising the State’s sovereign right over its natural resources, reaffirm this obligation. However, in this Draft, while the sovereignty of States over their natural resources is recognised (Paragraph 9), concomitant responsibility of States is not mentioned. There is a need to carefully balance both the right and responsibility.
- It is commendable that the Draft recognises the importance of a science-based approach to decision-making and the role of scientists in sustainable development. However this acknowledgment is neither backed by any financial support nor there is any reference how to enhance the interface between scientific knowledge and policy-making, despite being explicitly acknowledged (Paragraph 53).
- During the 64th Annual UN DPI/NGO Conference in Bonn, Germany, the civil society had called on governments “for the establishment of Ombudspersons for Future Generations, at the global, national and local level, who will advocate for sustainable development as envisaged and defined by the Brundtland Commission”. This is imprinted in the Draft that mentions the need for considering the establishment of an Ombudsperson or High Commissioner for Future Generations, to promote sustainable development (Paragraph 57). Though this could be a positive move, such a reference may not result in any concrete outcome as the current wording in the Draft only affirms “to further consider the establishment of” such an institution. It fails to underline the urgency of setting such an institution and hence, there is need for a specific direction.
- The Draft also fails to recognise the urgent need for capacity building of developing countries, including technical and financial support, to safely manage their solid wastes (particularly non-degradable and biomedical/clinical wastes). The Draft should mention possible ways to explore and address such serious concerns. Similar concerned subjects such as air pollution, energy, radioactive pollution have received very little or no attention. There is a need to address such vital subjects and what precisely needs to be done.

- The Draft does not mention the role of developed countries having a prime responsibility toward securing a sustainable future.
- The Draft is silent on the vital role of local governments, industry and civil society in promoting and securing a healthy and clean environment, a consumer right as enshrined in the United Guidelines for Consumer Protection, 1985 (as amended in 1998).