



Governing Council of the United Nations Environment Programme

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Fifth Global Civil Society Forum

Jeju, Republic of Korea, 27 and 28 March 2004

Report of the Fifth Global Civil Society Forum

I. Introduction

1. The Fifth Global Civil Society Forum was held in Jeju, Republic of Korea, on 27 and 28 March 2004. The Forum, which was intended to provide an opportunity for civil society organizations to share experiences and ideas, comprised a regional and a global segment. The participants came up with conclusions and recommendations, in the form of a Jeju Statement, to be presented to the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme (UNEP) at its eighth special session, to be held from 29 to 31 March 2004. The Jeju Statement is contained in annex I to the present report.

2. Participants were welcomed by Mr. Young-shin Park, co-chair of the Republic of Korea NGO Host Committee for the current Forum, who emphasized the important role played by major groups, as identified in Agenda 21, and of partnerships, in line with the undertakings of the Johannesburg Plan of Implementation, adopted two years previously at the World Summit on Sustainable Development, in accordance with which participants of the Forum were directly involved in the process of sustainable development. In addition, he recalled the undertaking by heads of State and government at the World Summit to reduce by half the number of people in the world who lacked access to safe drinking water and who lived in poverty at a level of under one United States dollar per day. Those issues were to constitute the topic of discussion at the current Forum. He expressed his doubts that the implementation goals agreed on at Johannesburg would be achieved and therefore stressed the need for the Forum to come up with strong recommendations for concerted action by the international community, with the stark reminder that, without water, there would be no future for humankind.

II. Opening of the Forum

3. The Forum was officially opened at 9.30 a.m. on Saturday, 27 March 2004, by Mr. Klaus Töpfer, Executive Director of UNEP. A welcoming address was also delivered by Mr. Kyul-ho Kwak, Minister of Environment of the Republic of Korea.

4. In his opening remarks, Mr. Töpfer noted the importance of interaction between civil society and UNEP at the governance level, applauding the endorsement given by Governments at the seventh special session of the Governing Council/Global Ministerial Environment Forum to the practice whereby the Global Civil Society Forum would feed into its own deliberations. Thanking the Government of the Republic of Korea for its assistance in hosting the Forum, he welcomed the choice

of a venue in Asia for the current meeting of the Forum and the special session of the Council/Forum, given the pace of economic growth in Asia and the consequent pressures on its environment. He recalled the findings of the third Global Environment Outlook (GEO) report, identifying water scarcity and pollution as critical issues in the twenty-first century and exploring scenarios for future policy choices in that area. In particular, a new paradigm for sustainable development was required, ensuring that economic growth could proceed while conserving the environment on which it depended.

5. As the body mandated to provide policy advice on the environmental dimensions of development, UNEP depended on cooperation with civil society at the governance level and in implementing its programme. At the forthcoming session of the Global Ministerial Environment Forum, ministers would be focusing on the environmental dimensions of water, sanitation and human settlements and he therefore urged the current Forum's participants to focus their own deliberations on integrated ecosystem approaches; water and sanitation; and the interrelationship between water, health and poverty. He hoped that the Forum would be able to come up with substantive statements from its participants, enhance the existing collaboration between UNEP and all sectors of civil society and help forge new partnerships between the various sectors of civil society in pursuit of the common goals of improving the state of the world's water resources and meeting the objectives of sustainable development.

6. In his statement, Mr. Kyul-ho Kwak noted that, over the years since 1972, when the environment had first been recognized as a basic human right by the United Nations Conference on the Human Environment, held in Stockholm, there had been a growing realization of the importance of the environment and the consequent need for development to be pursued in a sustainable manner. The conservation of water resources was an indispensable component of sustainable development and it was all the more timely that the current Forum was focusing on that topic. Noting the strains placed on the environment in his own country by rapid urbanization and industrial development over recent decades, he hoped that the positive experience of tackling those problems in the Republic of Korea would be useful to all participants and looked forward to a productive outcome of the Forum.

III. Organization of the Forum

A. Election of officers

7. The following officers were elected for the Fifth Global Civil Society Forum:

Chair: Ms. Eun-Kyoung Park (Republic of Korea)

Vice-Chair: Mr. Malick Gaye (Senegal)

Rapporteur: Mr. Noel Casserly (Ireland)

B. Adoption of the agenda and organization of work

8. The participants adopted the agenda for the Forum, based on the provisional agenda that had been developed by regional civil society representatives in collaboration with UNEP and distributed in advance. The agenda is contained in annex II to the present report:

9. In accordance with that agenda, following the opening segment, the Forum would continue in a series of regional segments, each comprising presentations and a question-and-answer session, followed by a special session on gender and the environment, a session devoted to identifying a global approach to the issues raised by regions and a session of civil society statements, at which the Forum would adopt the civil society statement incorporating its conclusions.

10. The Chair invited volunteers to join the drafting committee, to be chaired by Ms. Saradha Ramaswamy Iyer (Malaysia), which would be open to contributions from all participants.

C. Attendance

11. The meeting was attended by 206 representatives of civil society organizations from the following countries: Azerbaijan, Bangladesh, Bahrain, Bhutan, Brazil, Chile, China, Croatia, El Salvador, Finland, Germany, India, Indonesia, Ireland, Japan, Kazakhstan, Kenya, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mexico, Mongolia, Nepal, Netherlands, Nicaragua, Pakistan, Papua New

Guinea, Peru, Philippines, Republic of Korea, Samoa, Senegal, Singapore, South Africa, Switzerland, Tajikistan, Thailand, Togo, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan and Viet Nam.

12. It was also attended by representatives of UNEP. The full list of participants is contained in annex III to the present report.

IV. Regional segment

A. Session 1: Korean peninsula and North-East Asian environmental issues

13. Mr. Joo-won Seo, chair of the standing committee of the Republic of Korea NGO Host Committee, reviewed the host country's preparatory process for the current Forum, involving broad participation by civil society, with a view to fostering broader-based decision-making within UNEP itself.

14. The representative of the Korea NGO Host Committee, Mr. Jin-Ho Bok, gave a video presentation depicting development projects in the Republic of Korea which had provoked strong reactions by civil society. In particular, strong civil protests had been mounted against three major schemes – the building of a nuclear waste dump in Buan county; the construction of a high-speed railway tunnel through Mount Cheongsung; and the reclamation of the Saemangeum tidal flats through the construction of a sea wall – all of which would have devastating consequences for the environment. While not all the civil society actions had succeeded, they had mobilized massive support among the population and helped raise awareness of the need to protect the environment.

15. Mr. Sang Hun Lee, Green Future, gave a presentation describing the water agenda and the human settlement agenda of the Republic of Korea. Relative to its population, the Republic of Korea had the highest density of dams in the world and a proliferation of poorly coordinated organizations concerned with water management. He reviewed the country's water-related problems, noting the inefficiency of water management, the loss of wetlands to agriculture, the decline in water quality, despite massive government investment, the misuse of groundwater resources and other related shortcomings, which had triggered a powerful wave of civil action. In addition, notwithstanding the relative affluence of the country, which, according to the United Nations Development Programme 2003 human development indicators, ranked thirtieth in the world in terms of its per capita gross domestic product (GDP), the Republic of Korea still had extensive housing problems, with nearly one quarter of its population living in sub-standard housing and insufficient legislative safeguards to protect people from forced evictions. In response to the negative effects of economic development, such as pollution and marginalization of the poorer sectors of the population, civil society was called upon to pressurize the Government to increase official development assistance to address those issues and to draw lessons from the positive experience of other countries.

16. Mr. Kebin Zhang, Beijing Forestry University, reviewed the problem of desertification and sandstorms in China, which also affected neighbouring areas, such as the Korean peninsula and Japan. Reviewing the causes of the problem, he identified measures that could be taken to remedy it, including the reform of existing institutions and the adoption of national response strategies and implementation systems. Obstacles impeding an effective response to the problem included low environmental awareness among the population; poor agricultural and land-use management; insufficient investment; and inadequate monitoring and early warning capacity. An effective response to the problem demanded cooperation at all levels, both with international agencies and between and among the affected countries.

17. In the ensuing question-and-answer session, one participant wondered, given the environmental challenges raised by the speakers, whether there was much ground for optimism for those countries affected by environmental disasters. In response, one of the representatives of the region cited, as positive development giving cause for optimism, talks under way between Government and non-governmental organizations on ways of solving environmental problems and spontaneous initiatives mounted by many communities to restore river tributaries. On the issue of human settlements, some progress had been made although the growing trend of what was referred to as "neo-liberalism" was exacerbating income disparities and might in turn impede sustainable development.

18. One participant pointed out that the problem of sandstorms was not limited to China, Japan and the Korean peninsula: Mongolia was also affected. Another suggested that water management issues should be tackled for the Korean peninsula as a whole, rather than separately for the two countries concerned. Others noted that water crossed borders, which highlighted the need for water management to be undertaken on a multinational scale. The presenters agreed that it was important to address water management issues as holistically as possible and to provide for the fullest possible participation. In that context, the Forum learned of an assessment report prepared by UNEP, highlighting planned actions, which would soon be circulated to civil society organizations.

19. Finally, one participant noted that the Forum had only heard views on the provision of water from the demand side and not the supply side – namely, from the water providers themselves.

B. Session 2: Asia and the Pacific and West Asia

20. Mr. George Varughese, Development Alternatives, the representative of the Asian and Pacific region, gave a PowerPoint presentation on the priorities and position of civil society in that region, describing the preparatory process that had led up to the fifth Forum. The subregional and regional consultations had culminated in the drafting of overarching and guiding principles for policy formulation and implementation, relating to such issues as rights-based approach to water; State sovereignty over natural resources; peace, security and stability; and the spiritual dimension of sustainable development. The region also proposed its priorities and position, calling for a holistic approach to water, sanitation and human settlements; good governance at all levels; civil society participation in decision-making; and privatization of water and corporate accountability.

21. Mr. Ibrahim Al-Zubi, Emirates Diving Association, the representative of the West Asian region, gave a presentation on the situation in his region, focusing on such issues as freshwater resources, including scarcity and quality of water; shared water resources; sources and uses of water in West Asia; and human settlements and sanitation. With regard to the sanitation situation in the region, which was highly urbanized, with two thirds of its population living in low-income countries, he noted that progress had been made in the recycling of treated wastewater in countries encountering water shortage problems, but water pollution still posed a threat to human health and the environment in many of the countries.

22. In the ensuing question-and-answer session, a number of participants sought clarification of the concept of sovereignty as it applied to water management issues and that of privatization of water resources. Others contended that national sovereignty over water was essential; they argued that private ownership of water had led to its being treated as a commodity, as a result of which the quality of public water supplies had been neglected. Consequently, those who could afford it relied on bottled water, while the poor had to make do with substandard water, and often had to pay higher prices per unit than other sectors of society. These participants were in favour of de-privatizing water. Striking a note of caution, another participant pointed out that national sovereignty over water would not necessarily result in the delivery of better quality or more abundant water to the public, noting that, in her region, corruption and bad governance often produced a contrary result. On the subject of de-privatization, one participant warned against its inappropriate application, citing the example of a Government that had been forced to take over a failed industry and in the process had had to assume liability for the investors' debts. In response, the presenter clarified his view of sovereignty, emphasizing that Governments were obliged to exercise it for the benefit of the public. He acknowledged that the benefits of national sovereignty could be lost due to bad governance, but argued that, given existing international economic realities, sovereign Governments were the only ones with sufficient power to secure people's access to water.

23. One participant noted that access to good quality water was an issue of particular importance to internally displaced persons, who lost their homes due to conflict, development and natural disasters. The presenter said that all efforts should be made to avoid people's displacement, but noted that sometimes it was unavoidable in the interest of development. Where displacement did occur, steps should be taken to alleviate its impact or even to take it as an opportunity to improve people's living conditions.

24. Several participants suggested that the recommendations made so far had been too general and that more specific ones were needed. Such recommendations included one that Governments more systematically provide civil society groups with relevant data, that civil society participation in governmental decision-making be institutionalized at the national level and that UNEP and other organizations be asked to streamline and coordinate their information reporting requirements to reduce the burden on developing countries of complying with them.

C. Session 3: Latin America and the Caribbean and Africa

25. Mr. Alvaro Gomez, President, Red Nacional de Acción Ecológica the representative of the Latin American and Caribbean region, gave a presentation outlining the recommendations that the region's civil society groups wished to make to the current Forum and to the Governing Council/Global Ministerial Environment Forum at its eighth special session. He noted that, while legislative advances had been made in his region, progress in achieving sustainable development had been slow, owing to a number of factors.

26. His region's recommendations included the suggestion that the Forum be constituted as a permanent organ; that it create a plan for permanent cooperation among participants; and that it declare to Governments its support for the achievement of the sustainable development goals articulated in the Earth Charter. In addition, he recommended that the Forum urge the adoption of measures in favour of small island developing States and the rights of indigenous peoples in biological resources and that it encourage those States that had incorporated the Plan of Implementation of the World Summit on Sustainable Development in their policies to implement those policies with the full involvement of all stakeholders.

27. The region's proposed recommendations to the Governing Council/Global Ministerial Environment Forum were: that a climate of peace and stability permitting sustainable development was urgently required; that countries be invited to join with UNESCO and recognize the Earth Charter as an instrument for promoting awareness of sustainable development; that the elimination of poverty be considered an ethical, social and environmental imperative; that adequate resources be deployed in order to guarantee the right to a clean environment, safe water, sanitation, food security and an adequate living; that UNEP efforts on the dimensions of development be taken further and linked to national and regional processes; and that the Governing Council/Global Ministerial Environment Forum attach fundamental importance to the principles on civil society participation in decision-making embodied in decision SS.VII/5, and on enhancing civil society engagement in the work of the United Nations Environment Programme, adopted by the Council/Forum at its seventh special session in Cartagena, in February 2002.

28. Following that presentation, Mr. Ricardo Sánchez Sosa, Director of the UNEP Regional Office for Latin America and the Caribbean, made a brief statement, urging the need for closer collaboration between Governments and civil society.

29. Mr. Malick Gaye, ENDA Tiers Monde Ecopole Ouest Africaine, the representative of the African region, gave a PowerPoint presentation, outlining the major water, sanitation and human settlement-related concerns in that region. Notable among the water-related problems were the failure by Governments to find appropriate policy responses; conflicts in the use of and access to water resources; unfavourable and uneven distribution of water resource development; and inadequate implementation capacity. Given the serious deficiencies in sanitation, it appeared unlikely that the region would meet the target under the Millennium Development Goals for improved sanitation by 2015 and comparable problems rendered unlikely any improvement in human settlements. Accordingly, the African region had formulated a number of recommendations for the Governing Council/Global Ministerial Environment Forum, including the promotion of peace as a prerequisite for sustainable development; the need to build capacity, recognizing the rights of minorities and enhancing the role of women in resource management; to promote enhanced urban governance and to enhance technology transfer. For their part, civil society organizations were called upon to boost public awareness of the related issues; to strengthen information exchange; to increase their engagement in capacity development and conflict resolution; and to promote the environmental dimensions of water, sanitation and human settlements.

30. In the ensuing question-and-answer session, participants raised the issues of privatization of water and its effect, in particular, on the more vulnerable population sectors and government reaction to public protests; possible measures being taken in Africa to empower civil society organizations; and matters which the regions would like to see addressed in a Governing Council decision to be adopted at the forthcoming special session.

31. In response, Mr. Gomez observed that there was some tension between the goal of de-privatizing water supply and achieving adequate sanitation for all, noting that, at the time, sanitation was best in those countries with the highest levels of privatization. The goal was thus to achieve both public sovereignty over water and effective sanitation. Mr. Gaye explained that, as most countries in Africa were not democratic, there was limited possibility for civil society to exert influence on their

Governments. That said, there was a strong tradition of civil action in Africa, as evidenced by the mobilization in 2003 of 40 representatives from 25 countries to build a civil society movement to address water-related issues in Africa. In addition, there were strong consumer organizations in some African countries, which were concerned with the issue of water privatization.

32. When asked what UNEP policy he would most like to influence, the representatives of both regions said that civil society should become a full member of UNEP rather than a mere observer: the provisions of rule 69 of the Council's rules of procedure were insufficient to ensure meaningful participation by civil society. In addition, the representative of the Latin American and Caribbean region suggested that UNEP should be transformed from its current status as a programme into a fully fledged agency.

D. Session 4: Europe and North America

33. Mr. Felix Dodds, Stakeholder Forum for Our Common Future, the representative of the European region, drew attention to the principles of the Geneva Declaration, which were of critical importance to civil society in tackling environmental problems. He identified key principles relating to the duties and obligations of States to protect their peoples' rights to water, sanitation and affordable and adequate housing. He noted, in particular, the issue of virtual water – the water used in the production of certain commodities which were exported from developing to developed countries and whose export constituted the effective export of that water. He then reviewed achievements and constraints in the area of water and sanitation, as identified in the relevant report of the United Nations Economic Commission for Europe (ECE), significant among the latter being lack of funding for long-term policies and programmes and to improve access to safe water and sanitation, and the problem of decaying sewage pipes. In some countries, privatization of water and sanitation services was shifting the cost of repairing such aging infrastructure from the Government to the consumer. In the area of human settlements, ECE had identified as significant obstacles rapid urbanization and growing urban poverty; a weak regulatory framework; and civil unrest, among others. Finally, he noted that 2005 would offer an important opportunity for civil society, with such major international events as the conclusion of the development round of the World Trade Organization (WTO), under the Doha Development Agenda, in January 2005; the five-year review of implementation of the Millennium Development Goals; the findings of the Secretary-General's panel of eminent persons on the relationship between civil society and the United Nations; and the outcome of the international environmental governance process led by UNEP.

34. Mr. Daniel Magraw, Centre for International Environmental Law, the representative of the North American region, reviewed the status of water issues in his region. While North America was particularly well-endowed with fresh water, possessing 18 per cent of the world's renewable water resources, there were problems in some areas with aging infrastructure and the lack of reticulated sewerage facilities. Similarly, the authorities were giving insufficient attention to the refurbishment of dilapidated urban infrastructure, including wastewater facilities, citing insufficient tax revenues. Turning to the issue of sovereignty, he noted that since the adoption of Westphalia in 1648 the sovereignty of nation States had become an immutable fact and that, where Governments were unresponsive to the demands of their own people, the most direct line to such Governments was through the United Nations, its agencies, such as UNEP, and civil society organizations. Those Governments whose help was most urgently sought were often the most intransigent: accordingly, influence, and not force, was the only strategy that could succeed with them.

35. In the ensuing question-and-answer session, participants raised the issue of privatization, and the extent to which water resources were privatized in the regions under consideration. In particular, one participant noted that, in countries where government investment in water had been vitiated by inefficiency and environmental degradation, privatization was sometimes seen as a desirable option and that a salutary warning had been sounded by other countries where privatization had led to exploitation by multinationals: she urged those countries to share their experience of such practices, to prevent their recurrence elsewhere. In response, Mr. Magraw pointed out that privatization could offer a legitimate tool for water management, provided it was not used by Governments to abdicate their responsibility

36. Questions were also raised regarding the dominant status in the world of the United States of America and its affluent life-style, with consequent adverse effects on the environment. One participant wished to know whether the United States could not also take the lead in dealing with the kind of problems caused by its lifestyle; another suggestion was that it could also help water-deprived countries in the third world through the provision of information and, in that and other ways, help overcome the

extreme inequalities in the world that threaten the very future of humankind. Mr. Magraw agreed that the United States had unusual and inordinate responsibilities in respect of the environment.

37. On the issue of information, one participant sought advice on how to ensure that Governments which had signed up to the Aarhus Convention, guaranteeing access to information, implemented its provisions. In response, Mr. Fritz Schlingemann, Director of the UNEP Regional Office for Europe, referring to principle 10 of the Rio Declaration, suggested that information access could effectively be promoted by working through country-level networks. In addition, the representative of the North American region pointed out that lack of information was not the problem: what countries already knew was, in most cases, sufficient to solve most of their environmental problems; what was needed was more effective policy responses and implementation.

38. One participant argued that participants had wasted their time at the meeting listening to presentations which they could have read in advance, containing largely familiar information, and praising UNEP for the little that it had done, instead of focusing on the formulation of strong demands for the Governing Council/Global Ministerial Environment Forum. The representatives of the regions agreed that more effort should be put into catalysing real action and that, ideally, after a brief introduction, the forum should have moved directly into working groups to formulate its recommendations and conclusions. Those considerations should be borne in mind when planning the forum's future sessions.

39. One participant suggested that the tripartite participation system followed by the International Labour Organization (ILO) offered a potential model to be adopted by UNEP, ensuring fuller participation by civil society organizations in its work. In response, the representative of the European region suggested that the ILO model would not adequately serve the interests of civil society organizations: civil society was a very diverse constituency and the tripartite approach would reduce that diversity to a single voice. Accordingly, he believed that the stakeholder dialogue process would ensure transparency and therefore represented a more suitable model.

40. Ms. Brennan van Dyke, Director of the UNEP Regional Office for North America, applauded the wide participation of civil society in her region in the preparatory process for the current Forum. Expressing the hope that participants had been able to influence their own Governments in their preparations for the forthcoming special session, she assured them that UNEP was open to creating a platform for the more effective engagement of civil society, subject to the limitations placed upon it by its member Governments.

V. Global segment

A. Session 5: global approach to issues raised by regions

1. Civil society engagement within UNEP

41. Mr. Bakary Kante, Director of the UNEP Division of Policy Development and Law, gave a brief description of the involvement of civil society with UNEP, acknowledging that right from the outset there had been a willingness by civil society organizations to engage with UNEP. On its side, UNEP had from its inception, promoted policies to collaborate with civil society and driven by that attitude had set up in 1999, a special unit to deal with civil society issues within its Division of Policy Development and Law. The first major landmark, however, had been reached in Malmö in 2000 when the first Global Civil Society Forum was held and major decisions taken on the way forward for the movement.

42. A further step was taken in 2003 when UNEP prepared a strategy paper that received wide support from Governments and outlined the main pillars of its future engagement with civil society organizations. Some of the provisions of the paper were still being refined to further engage civil society in environmental activities at all levels. This commitment by UNEP to involve civil society more in its work was again reflected by several actions taken by UNEP including the preparation of a guidebook on how to engage civil society which would soon be distributed; the creation of a web site and an online database; strengthening the importance of civil society within UNEP by establishing a Major Groups and Stakeholders Branch headed by a high ranking official; establishing communications with the Secretary-General's panel on civil society; shifting towards a greater focus on women and development and participating in the Permanent Forum of Indigenous Peoples; and strengthening scientific knowledge as a basis for policy discussion.

43. In its efforts to ensure civil society participation at a legal level, UNEP had also engaged the legal fraternity through the Global Judges Symposium. Mr. Kante then described the involvement of UNEP in the preparation of the Fifth Global Civil Society Forum through, for instance, the regional consultations, the drafting and distribution of regional statements on the issues before the Forum and the selection of participants. UNEP was committed to ensuring a meaningful, substantive and effective interaction between civil society and decision makers and improving civil society participation in issues of governance. It intended to place that participation in the mainstream of its work programme around key areas. UNEP engagement with civil society required a deliberate and interactive process that encompassed all stakeholders.

44. The Forum then heard a brief presentation from Mr. Halifa Drammeh of UNEP, who posed some challenges to the Forum on the focal issues of water, sanitation and health which would be taken up by the Global Ministerial Environment Forum. In that context he recalled the targets set by the World Summit on Sustainable Development in 2002 for halving the number of people without access to clean water and sanitation, and emphasized the need for Governments to be made accountable for their commitments relating to integrated water management programmes.

45. The keynote speakers then responded to questions put to them by participants on the issues they had covered.

46. In his response to some of the questions, Mr. Bakary Kante drew attention to the fact that UNEP was as an intergovernmental organization and noted that it had made considerable progress since the Malmö Forum. He stressed that it would continue to hold dialogue with civil society organizations in order to enhance its involvement with them. At each special session of the Global Ministerial Environment Forum, steps had been taken to ensure that some issues considered by civil society were discussed by the Ministers. UNEP was committed to engaging all civil society organizations and its involvement with them was based on rules of the Economic and Social Council.

47. He sought to dispel the confusion that seemed to prevail about the different mandates of UNDP and UNEP, pointing out that UNDP handled development issues while UNEP focused on environmental issues. It was true, however, that the activities of both organizations were intertwined insofar as it was impossible to talk of development without considering natural resources which were part of the ecosystem. With regard to inter-agency coordination, he explained that each organization had its own rules for engaging civil society organizations and therefore UNEP could not speak on behalf of other agencies.

48. On the issue of the involvement of women and youth at policy level, Mr. Kante explained that UNEP had adopted a step-by-step approach to every issue and now that it had brought youth into the mainstream of its activities, it would be involving women more and had in fact already sought the advice of the Women Issues Network on how to proceed in this area. As for the interaction with the Environment Ministers, he expressed the hope that a time would come in the not too distant future when civil society organizations and Ministers would meet in the same forum to exchange ideas and discuss policy issues.

49. Responding to a question on the criteria for selecting civil society organizations to UNEP meetings, Mr. Kante noted that this was done through regional forums which elected their representatives to the main Forum. With regard to membership of the Executive Director's advisory panel, UNEP was in the process of establishing a system for ensuring not only gender balance but also systematic rotation of members.

50. In response to a question on the extension of the UNEP links to the legal fraternity, Mr. Kante gave the example of the case in India where judges had proved to be a very powerful tool for advancing the environmental cause. UNEP was making progress through the Global Judges Symposium.

2. Global overview on water, sanitation and human settlements and the rights-based approach

51. Mr. Dipak Gyawali gave a presentation on finding solutions to water, sanitation and human settlements problems, stressing two principal factors. First, he emphasized the importance of the involvement of all affected groups both in identifying a problem and coming up with its solution. Each of the relevant groups, which he identified as state bureaucracies, markets, activist civil society and non-activist civil society – and which he referred to by the terms “hierarchs”, “individualists”, “social auditors” and “fatalists”, respectively – would identify a problem in its own particular way and consequently recommend different solutions to it. Using climate change as an example, he said that the hierarchs would define the problem as too many people and recommend reducing the population to

solve the problem; individualists would think the problem was incorrect pricing policies and distorting subsidies and would solve it by eliminating market interference; and the social auditors would see the problem in terms of profligacy or greed, and would seek to regulate consumption.

52. The critical point was that none of these definitions or solutions was necessarily wrong, except insofar as it was not comprehensive, in other words, it did not take into account the perspectives of all concerned. That failure, however, rendered each fatally flawed. Thus, in finding solutions to problems in the area of water, sanitation and human settlements, as in other environmental areas, success required the full participation of all concerned, both in identifying problems and in solving them.

53. A second critical factor was the assessment of proposed solutions (and the technology proposed as the vehicle for solutions) for the alleviation of a problem. It was important to recognize that the assessment of a solution, just as the identification of a problem, would vary from group to group. No single assessment could therefore be 100 per cent comprehensive, but the one that came closest would be that which took into account the solutions proposed by all stakeholders. Further, it was important to recognize that solutions did not always work out as planned, so that technology chosen to address a problem should be as flexible as possible under the circumstances. In considering a particular problem, planners could utilize indicators of inflexibility, both technical and social. The former included the scale of the proposed solution (larger-scale undertakings generally carrying greater risk); long lead time required to implement the solution; capital intensity (the greater the cost, the greater the momentum); and the need for large infrastructure investments early on. Social inflexibility indicators included what he referred to as single mission advocates (dam builders may propose building a dam even if it is not the best solution); closure to criticism (such as matters coming under the head of national security); hype; and hubris.

54. In summary, he said that it must be recognized that the policy terrain is a contested one between the various groups, and that the only stable outcome would be one that reconciled their competing goals.

3. Effectiveness of international environmental implementation mechanisms for issues of water, sanitation and human settlements and recommendations for the future

55. Mr. Ricardo Navarro gave a presentation outlining his view of the need for strengthened international environmental governance and the state of sustainable development. He said international environmental governance was much too weak to be effective, owing to a lack of commitment to and mechanisms for implementing agreed obligations; fragmented environmental responsibilities; failure to integrate environmental concerns into decision-making; a lack of commitment by the North to solving the problems of the South; and excessive corporate influence on environmental decision-making.

56. Regarding sustainable development, he expressed the view that it had not been achieved and outlined a number of reasons for that failure. Those included: the influence of corporations and the World Trade Organization, which sought to prevent effective environmental regulation and pursued economic development at the expense of the environment; privatization of services and resources, such as water, which was in substance corporate theft of public resources with serious consequences for the poor; environmental abuse by corporations, as in cases of illegal dumping of toxic waste; the concentration of power in too few hands, including corporations and the military industrial complex; excessive consumption of resources, which he said was 50 per cent greater than what was sustainable; the nature of the economy, which was characterized as inherently violent inasmuch as the construction of new oil wells and dams required the killing of people; excessive individual wealth, which was a cause of poverty; and the existence of the United States of America.

57. To strengthen international environmental governance, he suggested that UNEP be transformed from a programme to an agency of the United Nations with the aim of: increasing financial support for environmental issues; effectively supporting the coordinated implementation of existing multilateral environmental organizations; enforcing existing environmental obligations; serving as a reference source for scientific, technical and legal expertise on the environment; reviewing and making recommendations on the environmental impacts of trade and economic policies in the context of a joint United Nations review process; taking the lead in policy debates on trade and environment and ensuring that multilateral environmental organizations had the primary competence to determine the necessity of environment-related trade restrictions; decreasing corporate influence; and democratizing the environment agenda.

58. On the larger issue of achieving sustainable development, he suggested as solutions the agreement of new framework conventions on corporations, water and the ecological debt owed by the North to the South; the elimination of the military/industrial complex; a strategy of individual wealth

reduction; the reduction of consumption levels; the establishment of a new economic system; and the dissolution of the United States of America into 50 separate countries.

B. Session 6: civil society statements

1. Presentation of the youth statement

59. Ms. Lara El-Saad, West-Asia youth representative, presented the youth statement to the forum. In their statement, young people, as represented by the Tunza Youth Advisory Council, stressed that there was no dignity living in a conditions without water and sanitation. Accordingly, it was vital that water should not be treated as a commodity and subjected to market-driven rules. She reiterated the principles set forth in chapter 25 of Agenda 21, namely, that children and young people must be educated about the preciousness of water and that the concepts of environmental awareness and sustainable development must be included in all stages of the curriculum. In addition, efforts must be made to empower young people, fostering their involvement in the identification, implementation and follow-up of relevant projects. Citing chapter 25 [of the Johannesburg Plan of Implementation, she pointed out the need to balance competing uses of water resources between the preservation or restoration of ecosystems and the satisfaction of human needs. Thus, while the construction of large, environmentally harmful dams should be curbed, smaller such projects could be beneficial at a local level and could be encouraged.

60. Young people recommended that the international community should invest \$350 billion over the coming 10 years in order to meet the Millennium Development Goal on water; that there should be appropriate national and international legislative arrangements to monitor the water-related activities of multinational corporations and to prohibit the privatization and monopolization of water resources; that the water sector should be a public sector, fully accountable and transparent, and with a strong legislative framework; and that every person should be entitled to five free litres of water per day and that consumption beyond that level should be charged on a progressive scale.

61. With regard to human settlements, young people stressed the human right to safe and healthy shelter and to co-exist in a psychologically healthy environment. They called for measures to address the cross-cutting problem of unsustainable human settlements, due to such causes as inappropriate urban planning, displacement of people by wars and refugee crises, and recommended, citing article 170 of the Johannesburg Plan of Implementation and chapter 7 of Agenda 21, the development of secondary cities to assimilate an adequate share of population growth; the development of resettlement programmes for internally displaced persons; the adoption of national shelter strategies and legislative measures to protect people against unfair eviction; and the regularization and upgrading of informal settlements and urban slums. In conclusion, noting that the issues of human settlements, water and sanitation had social, cultural, economic and political dimensions, in addition to their environmental dimension, it was vital for all Governments, young people and civil society to work together in tackling those issues.

62. Following that presentation, and in response to a question, the presenter explained that the statement had been amended the previous evening to give it more proactive force: it was important for young people, as those who were soon to assume responsibility for the world and its resources from its current custodians, not to wait before becoming engaged but to commit themselves immediately to specific action and, to that end, to call for increased support from the international community for their efforts. Another representative asked whether it was the intention of the Forum formally to adopt the youth statement.

2. Presentation of the industry and business statement

63. Ms. Annick Dollacker, of the International Chamber of Commerce (ICC), presented the industry and business statement to the Forum. In their statement, representatives of the business and industry sector stressed their active support for sustainable water and sanitation practices and policies, in line with the Johannesburg Plan of Implementation and the Millennium Development Goals. Recalling that the business community was one of the major groups identified at the Earth Summit in Rio de Janeiro in 1992 and was therefore an integral part of civil society, she called for an inclusive approach to the question of what constituted civil society, so as to ensure the fullest participation in the work of the United Nations by all stakeholders and partners. With regard to the issue of water, she pointed out that the business sector contributed many solutions to the global water challenge and identified a number of ways in which it could advance freshwater availability and protection. Industry was only one stakeholder in the process of water management, however, and progress in that area could only be made if all stakeholders were involved in the process. Accordingly, the business sector supported public-

private partnerships, in which businesses shared their expertise, resources and knowledge with Governments, local communities and non-governmental organizations, as one of the most effective means of delivering sustainable development outcomes, particularly in tackling the interlinked aspects of water, health, commercial activity, ecosystems, food production and biological diversity.

64. Technology cooperation and capacity-building in the area of water and sanitation were also crucial to the attainment of many sustainable development goals and the involvement of the business sector, as the source of many relevant technologies and management systems, was also of key importance in this process as well. If those technologies were to be sustainable, it was essential for companies to realize a return on their investment in them and, to that end, she urged Governments to promote short and long-term enabling frameworks in developed and developing countries conducive to the development and dissemination of such technologies.

65. Finally, she noted that, while ICC was not in a position to endorse all the recommendations of the Fifth Global Civil Society Forum, it did support most of them and believed that, by and large, they reflected the consensus of the participating organizations.

66. In the ensuing question-and-answer session, representatives questioned the extent to which the business and industry sector, as a profit-driven constituency, could be considered part of civil society, given that it promoted technological development to the detriment of the environment. The presenter pointed out that her sector constituted one of the nine major groups identified in Agenda 21; that, without profit incentives, there would be no technology, no progress and no development; that its members served consumers and were themselves consumers; and that her sector shared the aims of ensuring sustainable development and a secure future for humankind, in common with other elements of civil society. She pointed out that the chemical industry, while responsible for causing pollution, was also the sector that developed wastewater treatment procedures. In addition, she stressed that an inclusive approach to the identification of civil society would better serve the forum's interests than the exclusion of certain sectors.

3. Adoption of the global civil society statement drafted in the preparatory process, incorporating the conclusions of the Fifth Forum

67. Ms. Iyer, chair of the drafting committee, introduced the committee's work on the draft global civil society statement that had been circulated prior to the session. In general terms, the committee had decided to retain the statement as formulated, but to modify certain details, which she outlined. In particular, it had been decided, among other matters, to the notion of sovereignty; to explore the question of privatization in somewhat greater depth; to give a stronger signal to Governments regarding partnerships; to strengthen the call for effective implementation of Principle 10 of the Rio Declaration; and to make specific reference to the Earth Charter. The committee also sought guidance from the Forum on whether or not to make reference to the issue of international environmental governance in its statement.

68. In the ensuing question-and-answer session, representatives suggested that, when citing principle 25 of the Rio Declaration, attention should also be drawn to principle 24, on conflict areas, and, in that context, there was discussion of how such conflicts should be reflected in the statement, with some representatives favouring reference to specific occupied territories and others preferring a more generic reference to the issue; that the reference to the institutional processes to which the issues of water, sanitation and human settlements must be linked process should be worded in an inclusive manner, so as to cover all such relevant processes; that the section on ecosystem water management should be strengthened, in particular, to address the particular concerns of riparian States; and that the Earth Charter should be cited in the statement. In addition, some representatives suggested that the youth statement should be formally adopted by the Forum and others requested that the issue of international environmental governance should be properly addressed, so as to ensure that issues of water, human settlements and sanitation were ruled not by such bodies as WTO and market-driven interests but by environmental agreements. In response to one observation, Ms. Iyer explained that the statement addressed not at corporations, but at Governments: civil society would be asking ministers to bring their influence to bear on business interests within their countries.

69. Following that discussion, the forum agreed to entrust the chair of the drafting committee with finalization of the global civil society statement, incorporating the concerns raised in the current meeting. The final text of the statement delivered by the Fifth Global Civil Society Forum to the UNEP Governing Council/Global Ministerial Environment Forum at its eighth special session, the Jeju Statement, is contained in annex I to the present report.

VI. Closure of the Forum

70. Following conclusion of the agenda, several representatives made suggestions regarding the structure and the agenda for the Sixth Forum. In particular, it was suggested that an issues-based, rather than regional, approach should be followed in preparing the Forum's programme of work, thus avoiding overlaps. Instead, a regional approach could be followed in preparing for the Forum. In addition, it was stressed that presentations should have a factual, rather than political, thrust and that the keynote addresses – which were a source of inspiration for the Forum – should be programmes on the first day.

71. In the closing session, Mr. Yul Choi, co-chair of the Republic of Korea NGO Host Committee, expressed appreciation for the efforts by all activists that had culminated in the success of the current Forum. He noted that, ultimately, non-governmental organizations and Governments shared the same concerns for a sustainable planet and should therefore be attentive to the calls made by the Global Civil Society Forum.

72. In his concluding remarks, Mr. Kakakhel noted that the current Forum had been the largest to date, in terms of the number of participating organizations, and he expressed his pleasure at the fact that its discussions – while spirited – had not impeded consensus in formulating and adopting a civil society statement to be delivered the following week to Governments at the special session. Governments would benefit immensely in their own deliberations from the valuable perspective of civil society on issues so crucial to the very continuance of life on the planet – namely, water, water quality and sanitation. In addition, he commended the Forum on its regional approach, which had enabled it to take cognizance of issues that were of particular significance on certain regions, and he applauded the success of the side-event on gender organized under the auspices of the Forum.

73. After those statements, and following the customary exchange of courtesies, the Chair delivered his closing remarks, the text of which is contained in annex III to the present report, and declared the Fifth Global Civil Society Forum closed at 4.30 p.m. on Sunday, 28 March 2004.

Annex I

Jeju Statement

Statement delivered by the Fifth Global Civil Society Forum to the UNEP Governing Council/Global Ministerial Environment Forum at its eighth special session, held in Jeju Island, Republic of Korea, 29–31 March 2004

“Apart from air, water is the only natural resource that the human species cannot do without.”

El-Hadji Guisse, Special Rapporteur on the Right to Water and Sanitation, Subcommission of the United Nations Commission on Promotion and Protection of Human Rights

Introduction

The United Nations Environment Programme (UNEP) facilitated the gatherings of representatives or civil society organizations (CSOs) from all regions of the world including Asia-Pacific, Latin America and the Caribbean, Europe, North America, Africa and West Asia, to discuss effective engagement strategies and to gather inputs for this civil society statement to be addressed to the eighth special session of the UNEP Governing Council/Global Ministerial Environment Forum. This was called for in the Johannesburg Plan of Implementation of the World Summit on Sustainable Development and by the Commission on Sustainable Development at its eleventh session in 2003 to address specifically the thematic cluster of water, sanitation and human settlements.

The UNEP regional processes took place between November and December 2003. They substantially widened UNEP outreach to CSOs and afforded civil society the opportunity to network at regional and global levels and to coalesce around these issues in a more coordinated manner.

The present paper synthesizes the inputs from the regional meetings and attempts to lay out civil society position and priorities in relation to the implementation of Agenda 21 and the Johannesburg Plan of Implementation on goals and targets pertaining to water, sanitation and human settlements. This civil society statement to the Governing Council/Global Ministerial Environment Forum is divided into two parts.

Part one provides the backdrop to the issues, reiterates the goals and targets and sets out the obstacles and challenges to implementation of global commitments.

Part two outlines the overarching principles upon which civil society position and priorities are based and offers specific action proposals and strategies.

Finally, the statement draws a few lessons that have been learned from the experiences of civil society's engagement with UNEP.

Part one

A. Global water and human settlement crisis: The stark statistics

The global water crisis has been described as the greatest challenge of the twenty-first century. The problem is a multifaceted one involving not just water shortage but also wastage, pollution, floods droughts, poverty, consumption and natural resource management.

The magnitude of the crisis can be judged from the following data:

- 1.1 billion people in the world do not have access to safe drinking water and by 2025 this number will grow to 3 billion;
- 2.4 billion people lack access to adequate sanitation;
- 90 per cent of waste water discharged to waterways in developing countries goes untreated;
- 4 million children die each year from water-related diseases;

- 6,000 children die every day from diseases associated with lack of access to safe drinking water and poor hygiene;
- Asia has the world's dirtiest water and in Europe only about 10 per cent of the main rivers are clean;
- Agriculture uses more than 70 per cent of global water and industry about 20 per cent and domestic consumption accounts for 6 per cent;
- About half the world's population lives in urban areas, by 2015 nearly 60 per cent will make cities their home;
- By 2020 there may be 120 million new slum dwellers;
- 10 million people are displaced each year by development projects like dam construction causing landlessness, joblessness and homelessness.

B. Universally agreed targets, goals and commitments

The aforementioned issues are not new to the world community. Governments, experts and CSOs have been addressing them for decades. The United Nations declared 2003 International Freshwater Year. World water forums and numerous United Nations summits have grappled with the issues and commitments have been made. The latest set of goals and targets as they relate to water, sanitation and human settlements are those reaffirmed and contained in the Johannesburg Plan of Implementation and they include:

- To halve by 2015 the proportion of people whose income is less than one dollar a day;
- To halve by 2015 the proportion of people who suffer from hunger;
- To halve by 2015, the proportion of people without access to basic sanitation;
- To develop integrated water resource management and water efficiency plans;
- By 2005, to integrate principles of sustainable development into country policies and programmes and to reverse the losses of environmental resources;
- To have achieved by 2020 a significant improvement in the lives of at least 100 million slum dwellers.

The implementation of these goals, locally, nationally and globally is however lagging and the targets are unlikely to be met. The lack of an integrated approach can be considered the main barrier to effective implementation. Civil society has, in addition, identified a number of global developments that have adversely affected the implementation of policies and programs on water, sanitation and human settlements.

C. Obstacles and challenges to implementation

- (i) A vastly altered post-9/11 geo-political scenario, the elusive nature of peace, security and stability, counter-terrorism measures that have undermined human rights, the protracted war in Iraq, the quagmire of reconstruction, weakened multilateralism, unaltered and inequitable global trade and financial architectures have all compounded existing problems and made the achievement of internationally agreed development goals including sustainable development more elusive than ever.
- (ii) The spectre of market-driven globalization with its mantra of privatization, deregulation and liberalization continues unabated and has not shown compassion to the majority of peoples in the world especially in developing countries.
- (iii) These and other barriers to sustainable development continue to exacerbate the crises caused by deforestation, biodiversity loss, land degradation, adverse climate change, global warming and rising sea levels particularly in insular states.
- (iv) Furthermore, transborder mega-development like big dams and oil and gas exploration, rail and other infrastructure projects, indiscriminate and destructive mining, inappropriate land use, industrial agriculture, urbanization and eviction schemes have made access to water for the poor an unattainable luxury. Poor water quality, deplorable sanitation and unacceptable human settlements remain the bane of the existence of the world's marginalized communities.
- (v) Women, youth, children and indigenous peoples bear the brunt of the negative impacts of these and other aspects of globalization with no safety nets in place to address problems associated with loss of livelihoods and jobs, particularly among farmers and fisher folk.

In the face of these challenges, civil society reiterates its continued commitment to the goal of sustainable development, the achievement of internationally agreed targets and timeframes and the implementation of programs relating to water, sanitation and human settlements.

In part two below, civil society outlines its position and priorities based on a set of overarching principles.

Part two

A. Overarching principles

Rights-based, people-centred, values-oriented approach to development

The rights-based approach should be the basis of action at all levels because access to water is a prerequisite for health and life itself. The human right to water is indispensable as a basic right and for leading a life of dignity. Therefore water should not be regarded as a commodity to be exploited for profit without due regard to people and the values they cherish.

Role of the State

- Every State has the obligation to protect and fulfil its peoples right to water, sanitation and adequate affordable housing;
- The primary duty of the State in relation to protecting the environmental dimension of the problems relating the water, sanitation and human settlements is that of providing effective regulation to ensure access to and availability of good quality water;
- States should respect harmony of all ecosystems and human health;
- When developing river basin management strategies and transboundary watershed management strategies, in particular, States should be transparent and integrate and involve all stakeholders at every stage of policy planning and into all decision making process;
- States should respect the rights of indigenous peoples and local communities;
- States should ensure that the “polluter pays” principle is enforced;
- States should ensure legal security of tenure, protection from discrimination and equal access to affordable, adequate housing for all persons and their families.

Interrelatedness and interlinkages

The crisis facing humanity is deeply rooted in a complex interconnected web of economic, social, environmental and cultural factors, belief systems, societal attitudes and perceptions.

We urge Governments to reaffirm Principle 25 of the Rio Declaration, which states:

“Peace development and environmental protection are interdependent and indivisible.”

We believe that human rights, participatory democracy and human security are indispensable to sustainable development.

We urge Governments to affirm Principle 24 of the Rio Declaration, which states

“Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.”

The proliferation of arms trade and soaring military budgets must be viewed as the most embarrassing impediments to directing domestic and international resources towards sustainable development priorities, the provision of basic services and the attainment of globally agreed commitments.

There is an urgent need to address the environmental issues in occupied territories as well as reduce conflicts between and within regions and nations if transborder water issues are to be resolved.

Water, sanitation and human settlement issues, if not properly addressed, will threaten progress in poverty alleviation, public health, food security and livelihoods. The realization of many of the Millennium Development Goals is therefore dependent upon and will in turn affect how water security policies are implemented.

In this regard, we urge Governments fully to support and implement the findings of the interim report of the United Nations Millennium Project Task Force on Water and Sanitation, which states that there is a need to monitor not only the output for achieving water and sanitation targets but also the inputs – the pledges for support from external donors and international financial institutions commitment at regional, national and local levels as well as investment in these projects.

Civil society stresses the importance of linking not only the issues of water, sanitation and human settlements but underlines the need to also link these to ongoing institutional processes including, inter alia, the WTO processes, the United Nations Secretary-General's high-level panel on global security, threats and reform of the international system, the Cardoso Panel on the United Nations and Civil Society and the Beijing+10, Copenhagen+10 and Millennium Development+5 summits.

Gender mainstreaming and youth involvement will be major determining factors in the success or failure of policies on water, sanitation and human settlements including the Millennium Development Goals. Civil society stands in solidarity with the recommendations by both the youth and women's groups to this Forum.

We support the call of women at this meeting for more tangible efforts such as annual reporting at national level to track progress on such issues.

We also recognize the call by youth for Governments to endorse ongoing youth projects and disseminate information about them.

We also call upon Governments to respect the rights of indigenous peoples and local communities by adopting the Indigenous Peoples' Plan of Action on Sustainable Development and guarantee the customary uses of water in all legislation and policy.

Education and public awareness campaigns on the sustainable use of water, water conservation, recycling and the need to treat water as a finite, non-renewable, vulnerable and valuable resource is a prerequisite to improving overall healthcare and sanitation.

The spiritual dimension of sustainable development must not be neglected in current discourses. Cultural diversity must be respected and ethical dimensions of issues must remain in the forefront of debate as stated in the Earth Charter.

“The harmony of all natural elements – air, water, fire, sky, sea; of thought and action, of mind, body, soul can holistically bring together the common values of all mankind towards shared responsibility in facing shared challenges.”

B. Civil society position and priorities

Several common themes have emerged from the views and concerns expressed by CSOs and they also guide civil society's own participation in the implementation of targets on water, sanitation and human settlements. The main themes are:

1. Access to information

The basis of participatory democracy and broad based participation is premised upon Rio Principle 10 which states:

“Environmental issues are best handled with participation of all concerned citizens...”

Such participation is contingent upon the access to and availability of information. Yet, the irony in this so-called knowledge-based “information age” is that civil society has enormous difficulty obtaining

timely, up-to-date, consistent, relevant and reliable information on which to base its actions and plan implementation strategies.

The scepticism surrounding empowering civil society through full disclosure of plans, programs and policies is still a problem at the national and regional levels. Thus, attitudinal change has to occur soon if civil society is to play a more meaningful role in sustainable development.

2. Participation in decision-making

The integration of stakeholders in deliberative processes is vital to delivering development and implementing international and other agreements. The current levels of engagement of civil society can only be characterized as uneven. In some countries and regions, civil society is active. The Latin American and Caribbean initiative on sustainable development is one such example, as is the Barbados Programme of Action for the Sustainable Development of Small Island Developing States.

The United Nations and its agencies are opening up more space for civil society and experimenting with various modes of engagement. However, a lot more needs to be done to make civil society participation more effective and to ensure that civil society voices are actually taken into account in decision-making.

In this respect, civil society notes that the regional, national and local levels are lagging far behind. To ensure civil society continues to provide timely inputs to decisions and partakes in implementation programs, regional and national structures have to be more accommodating and also provide adequate resources to allow for civil society participation.

3. Financial resources and capacity-building

Civil society is plagued by the need to compete in the ever-shrinking pool of resources to sustain ongoing activities and work on new creative approaches. Donor aid fatigue continues to hamper effective and consistent civil society participation, particularly in issues such as monitoring of water quality and sanitation at grass root/local/small scale project levels. There is much to be gained from strategic partnerships in this arena, but the donor community has also to get its act together in fostering such changes without adding to the burden of civil groups.

4. Privatization of water resources and water management

The issue of water privatization was at the core of civil society deliberations at the Fifth Global Civil Society Forum. Civil society firmly believes the de-link between water privatization and the human rights-based approach stems from Governments' poor regulation, lack of oversight and inattention to community participation in water management decisions. This is particularly important to note given the fact that this is a \$400 billion industry controlled by a few large multinationals (Vivendi, Suez Lyonnaise, Bechtel, Thames Water, Anglia Water and United Utilities). They are all subsidized, receiving export credits, and sharing in the benefits of development loans to the countries in which they agree to do business. There is therefore, an urgent need for the International Monetary Fund, the World Bank and the regional development banks to incorporate the right to water in their lending policies, credit agreements, structural adjustments, programmes and other development projects.

Civil society therefore strongly calls upon Governments to consider adopting a three-prong approach to this issue by the following measures:

- (a) For the short term, in view of high profile failures and malpractices in private water industry in several countries, we urge Governments to insist on better corporate governance. Governments should themselves strengthen their own capacity to systematically assess the records of private entities;
- (b) In the medium term, Governments should ensure that the private sector abides by existing multilateral guidelines such as the norms on responsibilities of transnational corporations elaborated by the United Nations Commission on Human Rights, the OECD Guidelines for Multinational Enterprises and persuade corporations to accept the role of the International Court of Environmental Arbitration in the event of disputes;

- (c) In the longer term, Governments need to make more concerted effort towards fulfilling the commitment made in paragraph 49 of the Johannesburg Plan of Implementation, where Governments agreed to work towards a legally binding multilateral framework on corporate social responsibility and accountability.

Good governance in all institutions at local, national, subregional, regional and international levels is necessary for the proper formulation as well as implementation of policies relating to water, sanitation and human settlements. However, good corporate governance is viewed by civil society as a most fundamental factor to ensuring access of the poor to adequate, safe and affordable water.

Recognizing the finiteness of water and its special place in sustaining life, civil society notes with alarm increasing trends towards the privatization of water resources and or the proliferation of **type II partnerships** in the water resource management and delivery sector. The viability of such partnerships is yet to be assessed; they are rarely based on the precautionary approach as called for in Principle 15 of the Rio Declaration; and there are no provisions for liability or redress regimes in these arrangements. In the event things go wrong, it will be the poor and marginalized who will bear the brunt of the negative consequences.

Civil society therefore hopes that Governments will not abdicate their vital role in assessing, monitoring and regulating both indiscriminate privatization and questionable partnerships.

C. Civil society proposals on water, sanitation and human settlements

Civil society organizations reiterate their commitment to working with all stakeholders and especially, local communities, Governments and international organizations - towards the attainment of objectives relating to water, sanitation and human settlements.

Civil society organizations call upon Governments, in particular to show leadership to strengthen international and national implementation of goals and commitments on water, sanitation and human settlements including those agreed to at the World Summit on Sustainable Development in Johannesburg, namely:

Civil society organizations call for the adoption of the following strategies:

In relation to water and sanitation:

- The **prioritization of water and, sanitation and human settlement** issues and securing their integration into poverty reduction strategy papers (PRSPs), Millennium Development Goal reports and national sustainable development strategies and other national plans;
- The adoption of an **integrated water resource management (IWRM)** approach by applying the eco-system approach i.e. linking the management of eco-systems; from water shed to coastal, from basin to local levels, by ensuring the maintenance of biodiversity and ecological equilibrium and economic productivity of the river basin;
- The development of appropriate links between national, regional and community organizations on water management issues;
- The establishment of sound, fair and equitable legal systems for water resource management and water-related disaster management;
- The promotion of **education and awareness-raising** on water conservation and related issues with the aim of mitigating the adverse effects of floods, droughts and other water-related disasters;
- The improvement of efforts for regional coordination and cooperation on shared river basins;
- Ensuring the equitable delivery of water and sanitation services especially to the poor;

- Ensuring that there is technology sharing and development on water and sanitation issues and that water users are engaged in the development of new appropriate technologies;
- The enhancement of the **role of local authorities** in water management. Decentralizing of community water harvesting projects and hydropower schemes so as to reduce the occurrence of large-scale water projects such as huge destructive dams. Supporting the participation of local communities and sectors through specially dedicated funding arrangements;
- The promotion of local production schemes and technologies that can contribute to improving local economies and which allow local communities better control over their impact on local surroundings;
- The development of appropriate **indicators** to reflect the importance of water for sustainable development and poverty eradication and the compilation of good practices relating to water and sanitation;
- The making of sound investments in water conservation, encouraging efficient use of water especially for profit making activities, reducing subsidies and reformulation of market policies that encourage water intensive agriculture and providing for full cost accounting of water resources;
- The identification of domestic and donor resources to deliver necessary support for adequate water services sanitations and human settlements.

In relation to human settlements:

- One component in the realization of the right to adequate housing is promoting residential stability and security of tenure. In this regard, the prevention of forced and unlawful evictions should be the corner stone of governmental action and policy;
- Improvements are required in the form of land distribution and land ownership in addressing the human settlements issue. It is the firm belief of civil society that community-based organizations must be involved in planning, construction and control of housing units;
- National disasters (including floods, landslides and drought) social strife and wars are some of the challenges affecting some countries and causing displacement of people. We call for Governments in their consideration of human settlements to pay adequate attention to this challenge, address effectively the root cause of the problem and enhance the living standards of the displaced persons;
- The threat of relocation looming over communities of refugees whether because of development -induced displacement because of dam construction, sanitation works, drainage and irrigation infrastructure projects, environmental disaster or even displacement on account of tribal and ethnic conflicts within countries must be addressed.

In relation to environmental governance

- Given that international environmental governance is weak. We welcome the French Government's initiative to open the debate on how to strengthen UNEP and call on Governments to reconsider this issue afresh;
- An enhanced UNEP should take the lead in any trade and environment discussions and negotiations and reaffirm that multilateral environmental agreements have the primary competence to determine the necessity of multilateral environmental agreement-related trade measures and to assess the legitimacy of national implementation measures;
- Calling for the full rejection of trade liberalization of water and waste water services under the WTO /GATS [not sure about this] and ensuring the harmonization of trade and environmental agreements within the framework shaped by principles of sustainable development bearing in mind that sustainability cannot be subordinated to purely trade agendas;

- The promotion of adequate enforcement policies, liability and compensation for victims based on the polluter pays principle, which is Principle 13 of the Rio Declaration;
- The promotion of a participatory approach involving all stakeholders and ensuring good communication and coordination among all actors such that development decisions reflect the concerns of all and so as to encourage cooperation between government, non-government and private sector activities;
- Expedite the setting up of national committees on sustainable development with full participation of civil society.

Lessons from experiences of civil society engagement with UNEP

Civil society organizations appreciate the work that UNEP has undertaken with respect to engagement with civil society and especially the publication of the Guidebook and dedication of a web site to CSO issues.

The bottom-up, participatory approach in the evolution of this Statement is in itself an illustration of efforts by UNEP to implement Principle 10 of the Rio Declaration in matters relating to the environment.

Civil society organizations call attention to the need for building the capacity and expertise of civil society, especially those from the South, in relation to the work of UNEP. That said, there is also a need to strengthen the capacity of UNEP itself to deal with civil society, both at headquarters and regional/national levels.

Civil society organizations eagerly await the announcement of the CSO Advisory Panel to the UNEP Executive Director and stands ready to assist in implementation efforts.

Civil society organizations hope that issues such as the status of rule 69 and other wrinkles relating to civil society participation are ironed out as the strategy moves forward. As the strategy matures, it should continue to incorporate the views, criticisms and proposals of civil society and also consider the recommendations, as appropriate, of the Secretary-General's high-level panel of eminent persons, whose report is due in April 2004, into the work of UNEP.

Civil society organizations call for the establishment of a separate fund to ensure the continued and sustained participation of civil society in UNEP activities at all levels.

Annex II

Agenda for the Fifth Global Civil Society Forum

1. Opening of the Fifth Global Civil Society Forum.
2. Organization of the Global Civil Society Forum:
 - (a) Election of officers for the regional segment;
 - (b) Adoption of the agenda and organization of work of the fifth Global Civil Society Forum.
3. Regional segment:
 - (a) Session 1: Korean peninsula and north-east Asian environmental issues;
 - (b) Session 2: Asia and the Pacific and west Asia;
 - (c) Session 3: Latin America and the Caribbean and Africa;
 - (d) Session 4: Europe and North America.
4. Global segment:
 - (a) Session 5: Global approach to issues raised by regions:
 - (i) Civil society engagement within UNEP;
 - (ii) Global overview on water, sanitation and human settlement and the rights-based approach;
 - (iii) Effectiveness of international environmental implementation mechanisms for issues of water, sanitation and human settlements and recommendations for the future;
 - (b) Session 6: Development of civil society statements.
6. Closure of the Fifth Global Civil Society Forum.

Annex III

Closing Remark of the Chairperson Eun-Kyung Park

- We have had a very full programme over the last 2 days. The presentations and discussion sessions have been interesting and thought provoking. I hope you will agree that the outcome of our Global Civil Society Forum will be a positive and constructive contribution to the GC/GMEF tomorrow.
- The sessions yesterday focussed on the regional dimensions and today we have focussed on the global approaches.
- A number of key points were made yesterday during the discussions on the regional context:
 - The implementation of the Millennium Goals are inter-linked and mutually dependent. For example, access to information, peace and security and the polluter pays principle underpin access to water basic sanitation and human settlement.
 - Strong views were expressed on the issue of privatisation of water resources. There are real concerns here about issues such as access and security of supply as well as pricing. Governments must not abandon their responsibilities and it is important to have an adequate regulatory framework. Particular issues arise in the transboundary context – as the draft GCSF statement says, and as emphasised by a number of speakers, states must adopt a bioregional or eco-system approach.
 - A number of factors are essential for civil society to play its part, including access to timely and up to date information, full participation in the decision making processes and resourcing and capacity building.
 - Good governance requires constructive engagement and participation of civil society. A key issue for us, as representatives of Civil Society organisations, is to build effective multi-stake-holder partnerships to influence Governments at national regional and global levels. This is a real challenge. In some regions, civil society organisations have a real struggle to find space. However, we are already seeing the emergence of sustainable partnerships at national level in some countries. Positive experiences here can be shared. UNEP can play an important role, perhaps through the National Committee network in facilitating inter-action and dialogue.
 - Concern was also expressed about trade liberalization of water and waste water services. Trade should not take precedence over sustainability concerns.

Today's presentations focussed on the global issues as well addressing some of the issues from yesterday's session.

We heard from Bakary Kante and Halifa Drammeh on the development of UNEP's inter-action with Civil Society Organisations. There was much discussion on the effectiveness of this engagement. Strong views were expressed by a number of speakers from the floor on the need for a new model of operation for UNEP and this is something for us all to reflect on. Ricardo Navarro also addressed this issue in a provocative presentation.

We also had a very stimulating presentation from Mr. Dipak Gywali on water on sanitation issues and the rights based approach.

UNEP are to be congratulated for the excellent organisational arrangements and hospitality to the delegates. In looking forward, we can build on the good experience here in Korea. While the primary objective is to provide a platform for the civil society input to the Global Environmental Ministerial Forum, these events also provide an opportunity for constructive engagement and networking amongst participants. It is also the starting point for reflection on how we can further improve this engagement and within the networks that make up this Forum.

Annex IV

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