

U.S. Statement on Preamble/Political Declaration
Post-2015 Intergovernmental Negotiations
As Delivered by Tony Pipa, US Special Coordinator for the Post-2015
Development Agenda
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Thank you, Mr. Co-Facilitator. We have engaged in this process from a constructive and productive perspective over the past two years, and indeed have experienced great progress in coming to an ambitious and compelling consensus on creating an ambitious, focused, and actionable post-2015 development agenda – one that will end extreme poverty while conserving and protecting our environment, fully integrating all three dimensions of sustainable development.

We thank you for your leadership and hard work, both throughout this process and in producing this particular draft. We look forward in this final week of negotiations to the continued productive engagement among member states, and we are prepared to be constructive and provide specific suggestions and identify areas of flexibility.

It is our assessment, however, that this draft represents a step back from consensus, which is concerning at this late date.

Before I turn to the draft itself, let me say that we have found great value in having the engagement of a diversity of voices during this entire process. As we enter this final week of negotiations, we believe it is important as ever to continue to encourage that diversity of engagement, which we see as critical to getting us to an ambitious consensus. We feel that if we stay true to your suggestion to remain focused on specific suggestions, we should be able to manage that. And given the integrated nature of this agenda – which we all see as fundamental, and indeed, one of the most transformational elements of this new agenda – we believe that it is important that the entirety of the document remains open for engagement until all are in agreement on all its substance.

We continue to see a positive start to our document in the preamble, relying upon the 5 Ps to provide a compelling and concise articulation of our agenda. However, despite numerous calls for streamlining, we see this version as going in the opposite direction. As we have said many times,

there is little more important for our Political Declaration than to be a **concise, compelling central vision that can itself serve as a communication device and as a broad call to action.**

In this version, 48 paragraphs have become 55. And within those paragraphs, there is a considerable proliferation of text. Take for example, Paragraph 3. In the previous draft, it was a concise and punchy articulation – in a single paragraph – of the intent and core objectives of this agenda. It broke free of UN-speak. Yet in the new version, the text has lost its focused and returned to traditional re-articulations of UN prose.

We also note less innocuous additions. At this very late stage in negotiations, we note new potentially divisive issues. A notable example is paragraph 30. While we will speak to the particulars of this point in a moment, our primary concern here is the *nature* of such additions. We remain committed as ever to closing this document by Friday, but such late additions call into question the feasibility.

Regarding Streamlining and Repetition: As we have mentioned in each of our previous statements, we believe the political declaration should be a straightforward, concise, compelling call to action. We do not see the Political Declaration as an Executive Summary for the remainder of the document. As such, we do not see value in repeating the content of chapters 2 through 4 in the “New Agenda,” “Implementation,” and “Follow-Up and Review” sections. We recommend deleting these sections, which would streamline the Declaration considerably.

However, if these sections continue in similar fashion to their current form, let me provide some comments on these sections.

Let me start with the section on “Implementation.” We went further than ever before as a collective global community in reaching consensus on an ambitious, far-reaching, and modern agenda for financing for development in Addis Ababa. That consensus reflects a political balance and compromise where all involved went beyond their comfort zones. So we note with concern that this section diverges significantly from that just-agreed consensus, and reopens a number of issues that did not enjoy consensus in that setting. Every one of us has agreed that our time in this final week should not be used to renegotiate or re-litigate issues that were just resolved. Indeed, as you have emphasized, we should look for ways to rely upon

agreed-upon language from other processes. Addis provides us ample opportunity for this section.

We question why selective ideas were pulled from the Action Agenda, ignoring hard fought compromises and focusing on areas that we sometimes find surprising. If this section stays, for example, it must highlight the importance of the partnership, the critical importance of having all flows and sources to achieve Post-2015 and the interlinkage between Addis and Post-2015, in order to ensure a balanced presentation with other elements.

For example, in paragraph 41, ODA is one component of supporting sustainable development. In Addis, we all agreed in paragraph 20 that for all countries, public policies and the mobilization and effective use of domestic resources, underscored by the principle of national ownership, are central to our common pursuit of sustainable development, including achieving the sustainable development goals. This contradicts the description of ODA as “primary” in supporting sustainable development. When considered across the range of developing countries, including middle income countries -- who benefit from sizeable Foreign Direct Investment and portfolio investment as well as more robust domestic revenue-raising capacity – this characterization becomes even less accurate.

In paragraph 43, the language is changed from the just-agreed Addis language in paragraph 79, which says we will continue to promote a universal, rules-based, open, transparent, predictable, inclusive, non-discriminatory and equitable multilateral trading system under the World Trade Organization (WTO), as well as meaningful trade liberalization. The end of the paragraph seems to be taken from paragraph 87 of Addis but is also not consistent with the agreed language.

We do not think that paragraph 44 makes sense in the MOI section. Para 45 changes just agreed language from paragraphs 9 and 106 in Addis.

Paragraph 30 inserts a new concept into this draft that was discussed at length during the FfD negotiations, reopening issues here in post-2015 in a way we decided to avoid.

On technology transfer in paragraph 38, we would insert the word “voluntary” before the reference to the transfer of technologies and call for the deletion of the phrase “favorable terms, including preferential terms for

developing countries.”

We find such alterations to be the case in each of the paragraphs in the MOI section. Thus we strongly believe if this section stays, it must be more balanced in its presentation of the range of issues to which we just agreed in Addis, and align more fully. We should not be selectively pulling out certain paragraphs and ignoring other important concepts, nor can we change language just agreed from Addis after reaching hard-fought consensus, nor should we reopen any issues here for renegotiation.

Differentiation: As others have noted, we now are seeing different ways and a creeping proliferation of new language that relates to differentiation. It is critical that we are very careful and specific with language on differentiation, since such language can be seen as caveating the commitments that we are all making in this agenda. We have agreed previously and repeatedly – most recently in Addis - on a framework for implementation of this agenda – that it would be “global in nature and universally applicable to all countries, while taking into account different national realities, capacities, levels of development and respecting national policies and priorities.” This comes straight from paragraph 247 of Rio+20. However this new draft contains a number of new and inconsistent references that seem to muddle our framework for implementation.

We now see different formulations of caveating language throughout the text, including in paragraphs 3, 5, 19 and 22. Unacceptably, some of these additions would seem to caveat the indisputable fact that this Agenda must be implemented consistent with states’ rights and obligations under international law, or inject the concept of “culture” or unidentified principles into our frame for implementation.

From our perspective, the proliferation of such caveat language can greatly weaken the strength of our collective commitment to this agenda. The fact that the language is inconsistent and phrased slightly differently in multiple places raises questions and unnecessary confusion about effective implementation. We have all agreed – after a great deal of discussion and negotiation – on a framework which should govern implementation of our agenda, and that is paragraph 247 of Rio+20.

Our suggestion, in order to succeed in our aim to reach closure by Friday, would be to resolve this issue by sticking to that agreed language, include it

once in the implementation section of this declaration, and move forward with a clear understanding for how we intend to implement our commitments.

As we have said many times, we support the idea that we all bring different levels of national capacity and capability to the implementation of this agenda. The United States remains committed as ever to assisting the most vulnerable on a path to achieving our goals and targets. It is essential to the success of this agenda that it clearly reflect the concept that we all share responsibility for its success. Relatedly, we note with concern that this version continues to reference the principle of CBDR, not just once, but twice.

As a result, we would like to see the concept of shared responsibility stressed more clearly in the political declaration and continue to call for the deletion of paragraph 13. We also would not support the new language “for consideration” in paragraph 31.

On climate, we support the calls from others for the deletion of new language in paragraph 31 that goes too far in prejudging the ongoing UNFCCC negotiations and support text changes that have been suggested by Arab group and others or reversion to the previous climate paragraph.

To a set of other issues in the beginning of the document:

- Preamble – People paragraph: We cannot support the new reference that has been inserted into this paragraph to “ensure equal access to natural resources.” We cannot ensure equal access to natural resources which are within the sovereign territory of nation states. To clarify this language and make this ambition achievable, we would propose the deletion of “equal.”
- Preamble – Prosperity paragraph: We believe that there may be a verb missing here in the list of actions we wish to take and would call for the insertion of the word “promote” before the reference to sustainable patterns of consumption and production
- In paragraph 8, access to water should not be couched in terms of rights, as it is not explicitly contained in any international human rights instrument. We would delete the phrase “right to have” so that

this sentence – like the rest of this paragraph – focuses on our political goal to achieve a world where access to safe and affordable drinking water is universally realized.

- In paragraph 10, we would support adding a reference to fresh water along with the references to oceans and seas and would propose inserting the phrase “and from rivers” in front of the phrase “to oceans and seas.”
- We see it as inappropriate to include a reference to the Declaration on the Right to Development in a section on shared principles alongside the UN Charter and the Universal Declaration on Human Rights. The Charter and the Universal Declaration are centerpieces of our international legal architecture. In contrast, the Declaration on the Right to Development was not a consensus document, nor is it legally-binding. We suggest the reference to this Declaration should be deleted. Similarly, we oppose singling out the right to development in paragraph 34 given the lack of agreed international definition of this concept.
- On Paragraph 30, the timing of this proposed language is especially problematic. As we all have seen, the coordinated national sanctions by the United States, EU, and other countries [unilateral economic measures], in addition to UN sanctions, played a major role in bringing all parties to the table and supporting international diplomatic efforts that led to a consensus deal on the Iran nuclear program. As we heard in the July 20 Security Council session on Iran, there is broad international support for the recent Iran deal. We therefore cannot support language criticizing one of the core elements that allowed us to address this conflict peacefully, through dialogue and negotiations. We call for the deletion of this paragraph.
- In para 29, the United States continues to emphasize that we all need to commit to move to sustainable production and consumption patterns. As a result, we call for deletion of the second to last sentence of this paragraph. We also note that the last sentence of this paragraph seems inspired by the text recently agreed in the FFD outcome document, but does not track it exactly. We would propose replacing this last sentence with the exact text from paragraph 120 of

the FfD outcome document.

- While we prefer for paragraph 44 to be deleted, at minimum we believe language should be inserted noting that the paragraph addresses all types of families.

Thank you, Mr. Co-Facilitator. I appreciate your attention to these suggestions. We remain committed to engaging constructively throughout this week, and continuing to provide specific suggestions with substantive rationale to move us closer to consensus by week's end. Thank you.