



Taking Issue

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Network*

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CSD-the next decade

CSD will be about implementing Agenda 21 using JPOI as a roadmap. The three pillars of sustainable development will be kept as overarching themes. Bizarre as it may seem, but this is among the positive outcomes of 2 weeks of negotiations at CSD 11.

Measured success

Late Thursday evening, as the negotiations on text was moving to a close in Working Group 2, a seasoned delegate looking for something to drink, muttered to a colleague leaving Conference room 6 – "Regression in the text is always possible, status quo is a measure of success and moving the process forward is a surprising pleasure." Despite efforts from a number of delegates, neither Agenda 21 nor the JPOI were renegotiated, texts were kept as they had been decided earlier. The two-year cycle is by several participants regarded as an innovative step and has been adopted. Viewed against this then, CSD 11 has been a considerable success.

True innovations in the new CSD

Should not ministers meet ministers, and be protected from having to meet commoners in the major groups? Many delegations expressed concern over the participation in the High-level segment. Even though some delegations expressed concern, most ministers seemed happy and content over the outcome of the dialogues connected to their input in the CSD. Of equal importance to the Major Groups was the fact that a chairman's report was made on the deliberations during the first week, and subsequently

handed out to all participants, allowing them time to read and comment and finally in a plenary session state their comments and suggestions. The Major Group verdict on the sessions the first week: as close to success as possible. Both the Partnership Fair and the Learning Centre were seen as innovative and functional segments of CSD, and welcomed as new contributions.

Impending disaster averted

The access issue and a coherent understanding of what major groups are, came to haunt CSD 11 to the very end of the negotiations. Even though some delegations tried to create a difference between action oriented and policy oriented major groups, major groups were successful in proving policy and action were mutually supportive and two sides of the same coin. At times delegates that seemed to pursue more of a private agenda than that of their countries, tried to find ways to disqualify major groups from participating in the deliberations at CSD. Valuable time was wasted bickering over text and procedure that have long been accepted. Lost was also mandatory reporting, the possibility to deal with new and emerging issues.

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Visit the SDIN Morning Strategy Meetings for reports from working groups, information sharing, and strategic discussions. SDIN Morning Meetings are open to all

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Puzzling developments on Draft Decision to efficient and expeditious accreditation of WSSD NGOs

A last effort to stall NGOs and major groups fails as negotiations in working group 2 grinds to a halt.

Major Group access - again

Working Group 2 was approaching the end of their chores as the clock ticked into overtime mode. Left to be decided were some crucial issues, among them major group access. Delegates were weary after two long weeks of intense work, and some had left the arena when puzzling events started to unfold.

Delegates unplugged and in the dark

As crucial wordings were discussed, global negotiations were affected by the GA decisions to reduce the budget of the UN and allow privatization run services. Precisely at 6:15 pm the sound technician left, cut the amplifiers that regulated the microphones, and Working Group 2 had to continue unplugged. Delegates and observers struggled to listen and raised their voices to a level accepted by protocol. But worse was to come. Modern technology has introduced electronic display of the text on a large screen as it is being developed. This allows for direct changes, a more legible debate and certainly more clarity – all great innovations and contributions to the development of internationally agreed texts. Alas, at exactly 7 pm the light went out of the electronic world as the light man unplugged the projector. Delegates were obviously irritated at what happened, kept their composure, and reverted to old time pen and pencil after enough paper copies had been made of the new texts. Were these unfortunate repercussions understood when the budget cut was accepted.

Who wanted what

With rolled up sleeves, and an interest in

expediting matters, the delegates returned to their seats, armed with pencils and paper. And what was to be the nature of major group accreditation? Two hour deliberations on the chairs proposal made it quite clear that the EU, with the support of the G77, was adamant about its insistence on ensuring ECOSOC in charge of the options for handling NGO's accreditation for follow up and implementation. The US on the other hand maintained throughout that the ECOSOC Committee on NGO's would be referred to and its work merely expedited.

Was US filibustering in the UN?

Some of the more suspiciously-minded among us, could not help but wonder if the US was not using the currently backlogged and heavily loaded committee to block advocacy NGO's? Throughout this CSD, the US had maneuvered between language supportive of major groups and language that took the opposite direction. Did we actually witness differences of opinion in the US delegation? Or did we merely observe lack of communication due to the lateness of the hour? Or did some of the delegates pursue their own private agendas against the major groups?

The text at one a.m.

As the writing staff of Taking Issue left the downstairs bunker of the UN and the newsletter went to press at around 1 am, Friday, all we knew was that Working Group 2 had agreed on the following text:

" Recommends to ECOSOC to consider, 'in accordance with' established and applicable rules of procedure, and taking into account the ongoing work of the

Committee on NGO's, the status of NGO's that were accredited to the WSSD, so that the CSD can benefit from their contributions as soon as possible."

That was a promising sentence to leave the UN on – but, seasoned as we all are, language only stays agreed and lives as such until the next meeting grabs on to it, opens the debate and we all think – here we go again. At least we now have another decade to do this in.

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Weak on themes

The fate of themes and issues were not yet finalized as Thursday night pressed itself into the weary minds of the negotiators. G 77 made efforts in this direction by trying to cluster a number of the issues CSD will have to deal with the next decade. Specific issues make things easier. Thematic approaches help give a conference purpose and predictability. In that sense we all seemed to be back at the issue of water – which many thought not a bad idea. But speaking of issues, the issue of gender remained surprisingly weak throughout the document. Many wondered how the 2 year cycle would pan out and when it would begin. As it seemed, Norway had applied for and received support for their candidacy as chair for the new Bureau. If that was to be the case, many looked forward to working with the outspoken and committed Norwegian Minister of Environment, Ms Borge Brende. But whoever the chair would be, he or she would have enough challenges to deal with to fill an entire new session of CSD.
..jgs



NGOs with new identity at the UN

By INTGLIMT, International NGO Task Group on Legal and Institutional Matters

The UN Secretary general has established a Panel of Eminent Persons on United Nations Civil Society relations. A UN Press Release February 13, 2003, stated:

"The Panel will look into the modes of participation in UN processes of non-governmental organizations, as well as of other non-governmental actors such the private sector and parliamentarians. The Secretary-General has asked the Panel to identify best practices within the UN system and in other international bodies, and use them as a basis for recommendations to be issued within twelve months. The Panel is also asked to find ways to make it easier for civil society actors from the developing countries to play a full role in UN activities."

Structure and Purpose

The Secretary General's (SG) Panel of Eminent Persons on UN-Civil Society Relations (which has been given the acronym "HLP") has been set up as part of Annan's UN reform efforts presented in his 2002 UN reform report, "Strengthening the United Nations: agenda for further change." The panel is to meet 3 or 4 times and produce recommendations in 2004. John Clark, "NGO Specialist" at the World Bank, formerly Oxfam International, will serve as coordinator.

Ex President of Brazil, Fernando Henrique Cardoso, is chairing the 12-person panel. Its composition is balanced regionally and with respect to gender. Three members came with a government background; five members have both government and NGO experience. Four members are exclusively from civil society; one has a corporate business background, and two have backgrounds working with the World Bank. Sectors in which panel members work includes: finance and development (7), gender issues (2), environment - in particular forests and energy (5) and education (2). A formal agenda will be agreed upon at the first meeting scheduled for the June 3-4.

Fundamental dissonance

Many NGOs have remarked on the "fundamental dissonance," as one representative put it, of a "high-level" panel addressing NGO issues.

There are concerns that the "eminent persons" are too far removed from understanding firsthand NGOs struggles in trying to meaningfully affect the UN's work. However, a few members have been actively seeking NGOs' input.

NGOs need to express how they want to see reform of the UN

Champion for NGOs

Juan Mayr, former Minister of the Environment for Colombia and President of the Convention on Biological Diversity as well as Chair of CSD 9, came to the SDIN morning meeting on Tuesday to hear NGOs' views. He offered that the panel is an opportunity for civil society to make their voices heard.

Mayr proved himself sensitive to many of the CSD NGOs' concerns. He noted the "huge gap" between what NGOs

are hoping to achieve and governments' goals. He also recognized the gap between what governments talk about and what they decide in documents. He listened to a number of comments from NGOs and stated that there need to be clear procedures for NGO participation.

NGO concerns

Among other issues, NGOs talked about the problems of too many definitions and terms. For instance, classifications such as "stakeholders" beg the question who defines a "stakeholder"? "Civil society" also means different things to different people and in different contexts. Sometimes it includes NGOs and the private sectors while to others "civil society" excludes the private sector. Likewise, the debate about "action" versus "advocacy", NGOs see a false dichotomy that reeks of a divide and rule strategy. NGOs clarified that our legal rights to participate in the UN - through the UN Charter and

ECOSOC Resolution 1996/31 - are as "non-governmental organizations." Contrary to the view that "Non-governmental" is a negative reference, like non-violent and non-proliferation, the term "non-governmental" is viewed by many as a positive distinction.

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A couple of NGO representatives articulated how forcing NGOs to make common statements undermines NGOs' input and the diversity that is one of NGOs' strengths. One major group representative described how the process of drafting a common statement had split their major group and resulted in some members abandoning the MSD process, thereby depriving the CSD of their voices.

NGOs need to express how they want to see reform of the UN

Mayr also emphasized that NGOs need to express how they want to see reform at the UN, while also being the pressure behind this change. Perhaps could the panel not be directed by the Secretariat, some asked. Perhaps answered Mayr, but such a proposition would require a lot of NGOs' support. Another panel member, Kumi Naidoo of CIVICUS, demonstrated a similar openness a few weeks ago when he accepted an invitation from CONGO to join their board meeting in New York. Reportedly a third panel member has also actively reached out to some members of the UN NGO community asking for any input NGOs wish to submit.

Mandate and goal

Among the concerns that the World Federalist Movement (WFM) has initially identified (or "flagged") are that

the mandate and goals for the panel cannot be adequately achieved in the limited time allotted. For instance, WFM has been monitoring the UN's relationship with the Inter-Parliamentary Union (IPU). Under the new arrangements established by this 57th GA, the IPU has poised itself to be the UN's parliamentary dimension. However, many consider the IPU to lack transparency and experts have expressed the view that within the UN, the IPU would only be a second voice for the governments. WFM believes the UN-IPU relationship requires much more consultation and consideration. Likewise, WFM has reluctantly come to the conclusion that there needs to be a clear distinction between the private sector and NGOs. Indeed this is another issue requiring careful consideration.

In depth expertise needed

Considering the panelists' backgrounds, it is not clear that they have in-depth expertise about the convoluted practices and procedures for NGO accreditation and participation in the UN system - including knowledge of the workings of the ECOSOC and its highly politicized Committee on NGOs, ECOSOC Resolution 1996/31, and the various other modalities for NGO participation in the UN system. This kind of detailed understanding of the UN bureaucracy and existing practices will be critical to developing progressive recommendations.

Making life easier for the NGOs

Among other goals, WFM will promote the establishment of procedures NGO accreditation processes according to ECOSOC Resolution 1996/31. WFM will offer proposals for how to streamline and standardizing accreditation that will depoliticize the process and put an end to the wasted time and resources spent negotiating without undermining the ultimate decision-making powers of governments to decide which NGOs receive accreditation.

WFM will also prioritize making the UN's Optical Disk System (ODS) available on the Internet to accredited NGOs. The ODS database contains all UN documents in the five official UN languages. Its availability on the Internet would greatly facilitate contributions from NGOs throughout the world.

There needs to be a distinction between the private sector and NGOs

It is encouraging that some members of the panel have actively reached out to NGOs. Hopefully there will be systematic hearings and consultations with NGOs from all sectors and all regions. We should take up Mayr's challenge to create forums and other means for the panel to hear our views. This is an opportunity for NGOs to coordinate and cooperate across sectors. NGOs future in the multilateral system is being decided. NGO should join WFM in monitoring the panel and submit contributions as soon as possible.

Bios of each of the panelists are available at: <http://www.un.org/reform/pdfs/cspnfbios.htm>.

Check the UN reform website for press releases and other documentation related to the Panel: <http://www.un.org/reform/> The Secretariat will be setting up an email address for NGOs to submit their comments and recommendations. If you would like to receive WFM's periodic updates on the work of the panel and a copy of our recommendations, email wfm1@igc.org



Strengthening the CSD: The Integration of Educators/Education

By Dr. Pam Puntteney, Education Caucus

One of the greatest challenges facing the CSD process, is staying on top of what we need to know in order to act strategically. One of the greatest challenges facing the implementation of Agenda 21/ Rio+5/ JPOI/ MDGs, is staying abreast of evolving, strategic approaches to sustainability.

Education for Our Common Future

Knowledge, how we obtain that knowledge, and learning how to organize and use it, have become increasingly important as an integral part of the outcomes of the CSD's work. As one of the four main instruments of the policy framework, education serves to raise awareness, provide access to knowledge, improve understanding, build skills, and a means to engage cross cultural and value-based issues.

The extensive policy framework put into place for Rio included education as well as, the legal, financial, and planning processes and mechanisms to serve as the underlying foundation. It was within that larger policy vision and in support of the mandates that were to follow; a broad policy concept of education was developed in Agenda 21 as an over-arching strategy. The end goal was to create an informed political forum and an informed civil society that can participate and act on principles of sustainability.

From Bali to Jo'burg to CSD11 and Beyond

During PrepCom IV(1996) the Education Caucus held a roundtable to create a dialog on a common agenda for the WSSD and beyond. One of the most asked questions in Jo'burg was "Why is there not a MAJOR plenary on education at this 10 year evaluation?" Education/Educators was of great concern to the policy stakeholders and the NGOS participating in the meetings. The momentum built towards strengthening this component of the future plan of work and the implementation of the CSDs objectives. Added to this was the work of the Japanese non-governmental organiza-

tions on the preparation for the Decade of Education for Sustainable Development [2005-2010] and of course UNESCO in all aspects of its work as the lead organization for the Decade. The Earth Charter, University Leaders, the community representing scientists and technology, all the major groups and many of the caucus' within the NGO Community were articulating and advocating for the role of educators/ education within the work of the CSD, and more.

Education as a broad policy concept includes:

Environmental Education and public awareness.

Traditional values, philosophies and lifestyles and informal networks;

Schooling, basic, and higher education;

Lifelong learning, organizational learning, peer learning, and adult education

Interactive communication strategies, training, and access to information

Where do we go from here?

Here at CSD11, strong leadership has emerged from many corners, positioning educators/education as integral to the CSD process and placing it at the top of the implementation agenda. So where do we go from here?

Educators are people who influence others and can engage people in learning. They include academics, teachers, and those that are involved in the traditional

arena of schooling. But to a larger extent they also include professionals to ordinary people who are very involved in working towards building a sustainable future, sustainable livelihoods, sustainable communities.

Education at the close of CSD

Some thoughts as we draw to a close our work here at CSD11...We need to start thinking now about planning for education/educators now for CSD12 and its associated forums leading up to next spring in New York. We also need to consider how we can bring attention to our collective group, perhaps through an Experts Level Forum inviting broad participation from stakeholders in 2005. Where, how, and who will give voice and actively participate in the forthcoming regional meetings? The Expert Forums? What major activities should we initiate in conjunction with the up-coming CSD meetings? How do we begin to work collectively on education while involving educators in all aspects of building inter-linkages? Our first and second issue focus, water and energy, lend themselves well to education for sustainable development. So what will we bring to the table and link back to our own peers and colleagues who are not in New York?

Come on board

The Education Caucus continues to encourage and invite broad collaboration as we all share this common overarching agenda. We also maintain a list server that you may wish to join. We wish you well with your work over the coming months and again thanks for your continuing commitment and hard work on this cross-cutting theme.

Achieving Sustainable Development with Broad Public Involvement:

By Olga Ponizova, Eco Accord

Public involvement and participation in decision-making on a wide range of sustainable development issues is a must in today's world. NGOs bring knowledge, practical experience from the field, and suggestions for innovative strategies. They help examine the problems from different points of view and inform effective decision-making. There are good examples of NGO participation in official inter-governmental processes, in particular in the UN ECE region.

Next: Kiev with NGOs

Europe is currently preparing for the 5th Ministerial Conference "Environment for Europe", which will take place in Kiev, Ukraine, May 21-23, 2003. The process developing within the framework of the UN ECE has a long tradition of cooperation with NGOs, which take part in all intergovernmental negotiations and working groups. They have participated in identifying priorities for environmental cooperation in the region, discussions on means of implementation and monitoring the effectiveness of the process.

The European Eco-Forum has involved approximately 700 governmental, non-governmental and business organizations in the region in the discussions of the draft for the Environmental Strategy of Eastern Europe, Central Asia and Caucasus, which is being prepared for the Kiev Conference. This helps obtain the necessary public support for the official decision to be made and mobilize stakeholders for its implementation.

NGO Initiatives

Many good initiatives have been initiated by NGOs in the UN ECE region. The most notable was perhaps the UN ECE Convention on Access to Information, Public Participation and Access to Justice, Strategy for Education for Sustainable Development. Having ownership in the process, NGOs work on concrete projects tackling key priority issues in the process, including

environmental policy and energy, biodiversity and financial mechanisms, chemical pollution and clean production. NGOs help with the involvement of a broad range of stakeholders in the consultations on the "Environment for Europe" process.

Many good initiatives have been initiated by NGOs from the UN ECE region

UN ECE with the Public

One of the key achievements in the "Environment for Europe" process has been the UN ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention). It was adopted on June 25, 1998, in Aarhus, Denmark, at the 4th "Environment for Europe" Ministerial Conference. The Convention entered into force on October 30, 2001, and the progress of ratification has been relatively rapid. The Aarhus Convention grants public rights and imposes obligations regarding information, participation in decision-making, public participation and access to justice on Parties to the Convention as well as on public authorities.

Active NGOs

The Convention was negotiated with active participation of NGOs. Some

governments invited NGOs to comment on their legislation drafts, which set out to integrate principles of the Aarhus Convention in national legislation and in practical implementation of the Convention, the development of campaigns, publications, training activities and assessments of the implementation. It can be said that the Aarhus Convention has shown significant progress in stimulating democratic processes in the countries of the region, in particular in Central and Eastern Europe, the Caucasus and Central Asia and by identifying solutions to environmental and sustainable development problems.

People for CSD

Perhaps, the UN ECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters may serve as a good example of finding a constructive approach to addressing sustainable development concerns by simply allowing and, in fact, encouraging full-fledged participation of all stakeholder groups. Unfortunately, this Convention is not adopted on a global scale – yet. The Convention has helped to bring democracy to a vast area once dominated by dictators. Perhaps, the Kiev process and this Convention can give CSD inspiration in the future in implementing sustainable development projects. For without the active involvement of people and their organizations, there will be no progress.



Corporate Social Responsibility and the CSD

By Dr. Malaika Culverwell, Corporate Responsibility, Royal Institute of International Affairs, London UK

During the second week of CSD, the Royal Institute of International Affairs, at a side event, presented a range of options that were open to various governments, UN, non-governmental organisations and other stakeholders who were interested in following up at the international level the new commitments on promoting corporate social responsibility (CSR) contained in the World Summit on Sustainable Development (WSSD) Plan of Implementation.

During the side-event, the following three questions were asked:

What objectives should governments be trying to fulfil in implementing the WSSD mandates on CSR? What are the strengths and weaknesses of existing and proposed approaches to promoting CSR in developing countries? How could the implementation of the CSR Mandates best be taken forward within the new CSD process? What follows is a broad summary of the answers given:

On objectives:

In defining CSR, there was a need to make a distinction between 'accountability vs. responsibility'; between a 'normative vs. consequential approach to CSR and to map out a range of issues on what CSR entailed at the 'global vs. local' level. The issue of the roles and responsibilities of government vs. those of corporations in terms of efficient and ethical governance was also raised. It was said that it is necessary to maximize as well as promote the positive development impact of CSR, and control the negative externalities associated with corporate impacts on society. Encouraging governments to create an "enabling business environment" for CSR, and promoting best-practice government techniques and processes to cover the 'gap' between what corporations are already doing in sustainable development and what they should be doing to enhance positive impacts, is important. The focusing on the international architecture could help facilitate both governments (abroad and at home) in creating an enabling, but also clear, course of action following negative impacts. Finally, site and sector specific corporate activities that promote sustainable development need to be identified.

On the strengths and weaknesses:

A weakness in existing approaches is implementation of an existing legal framework. Incentives beyond legal compliance do not exist. A World Bank Cleaner Production Programme is a good example of an initiative incorporating CSR that has been successfully followed up by developing countries. (e.g. India) Regarding the OECD Guidelines: reporting and compliance are two issues that are weak in the guidelines as there are no incentives for multi-national corporations to implement these. Governments need to look at export credits and other incentives to 'beef up' compliance. Which MNC's will voluntarily report on failures? There is also an issue of credibility in voluntary reporting, and NGOs have limited resources in policing. Participants noted that WSSD - Partnership Principle 10 may help in this respect. The coherence of existing approaches to CSR needs to be improved. The question asking whether governments of developing countries are convinced that they have to promote CSR, or whether they see it as an obstacle to promoting FDI was raised. We need to be aware of asymmetric bargaining power that Least Developing Countries have relative to MNCs; this ties into the debate of the future of multilateralism. There is also a need for the multilateral system to balance power between developing countries and multinationals, particularly with regard to trade rules.

On implementation:

Most participants felt that the CSD was the appropriate forum to take forward CSR issues because: CSD presents a cross-sectoral forum representative of CSR issues; CSD allows governments to be the unit of analysis, reporting, meas-

urement and legislation can be debated amongst governments; CSD allows NGOs to participate on CSR issues. Some said the CSD was not the appropriate forum because: some CSR issues are primarily corporate related, and industry was not well represented at CSD; Governments often do not implement their commitments; in reality, the number of corporations that adhere to existing initiatives are minute so the CSD is unlikely to make a real difference; there are tensions between the recommendation of 'global, integrated government strategies' operating in opposite direction to corporations who are trying to be more 'local' and focusing on 'CSR issues on the ground'.

Rigorous Independence

The Royal Institute's reputation for independent and rigorous research, and its ability to provide a neutral forum for confidential discussion between a wide range of stakeholders, make it well-placed to contribute to the debate on CSR. We will continue to closely consult with a wide range of stakeholders from the private sector, non-governmental organizations, the UN, the OECD, HMG and other governments. The main project output will be a report outlining the options for government action to follow-up the WSSD CSR commitments, drafts of which will be discussed during a stakeholder workshop in September 2003. An interim report will be published in July 2003.

(The article has been edited)

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To publish articles in this newsletter, please submit your text to one of the SDIN facilitating organisation's staff.

SDIN Facilitating organisations:

- ANPED, the Northern Alliance for Sustainability
- ELCI, Environment Liaison Centre International
- TWN, Third World Network

Editors reserve the right to refuse articles or edit for length and clarity

We're on the Web:
www.sdissues.net

What is the Sustainable Development Issues Network (SDIN)?

The Sustainable Development Issues Network for 2002 is a collaborative effort among civil society networks and non-governmental issue caucuses. SDIN aims to improve communications and access to information on sustainable development issues, and improve communications among NGOs engaging in the World Summit on Sustainable Development.

The Issues Network is not meant to compete with or replace the networking and organizing efforts of other NGO bodies, but to assist and promote the efforts of civil society networks working on sustainable development issues. In this sense, SDIN is not another "network" *per se* but hopefully a useful tool of NGO networks.

As CSD 11 has come to a close, there will be no more side events, strategy meetings or morning meetings.

Thank you for your contributions, see you at the next CSD.

A hazy afterthought

The UN is an entity in itself, and the landmark building, what it stands for and represents deserves not only a place in the history of New York, but also in the history of the world. Some parts at the UN need not be preserved, and that is the unwarranted, indiscriminate and voluminous smoking in Café Vienna. Smoking reached such levels of ppm, that an almost impenetrable haze filled the entire downstairs. Twice during this CSD, fire-alarm drills sounded throughout the building. We totally understand this, as the smoke detectors probably would go off at the level of smoke found in Vienna. The Vienna Café is the only café in New York that allows smoking. This makes this place awkwardly unique, but this uniqueness is something the world can do without, and not preserved within the confines of the UN. How about some diplomatic restraint in the huffing and puffing
...jgs

FACTS TO AID NEGOTIATORS

-NOT A COMMERCIAL ADVERTISEMENT-

"An elephant only needs to sleep 2 hours a day"

— Snapple fact #39