



Rio de Janeiro, Brazil
20-22 June 2012

Item 10

Outcome of the Conference

**Note verbale dated 27 June 2012 from the Permanent Mission
of the Bolivarian Republic of Venezuela to the United Nations
addressed to the Secretary-General of the United Nations
Conference on Sustainable Development**

The Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations takes this opportunity to present the statement delivered by Claudia Salerno Caldera during the closing session of the United Nations Conference on Sustainable Development (see annex).

The Permanent Mission would highly appreciate it if the statement could form an integral part of the adoption of the final document and be issued as a document of the Conference.



Annex to the note verbale dated 27 June 2012 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General of the United Nations Conference on Sustainable Development

Clarification of the position and reservations of the Bolivarian Republic of Venezuela in respect of the final document of the United Nations Conference on Sustainable Development entitled “The future we want”

Rio de Janeiro, Brazil, 22 June 2012

1. Upon the adoption of the outcome document of this Conference, entitled “The future we want” (A/CONF.216/L.1), the Bolivarian Republic of Venezuela submits the following reservations and clarification of its position concerning specific points and elements of the aforementioned document.

A. Reservations in respect of elements of the section on “Energy” (paragraphs 125 to 129), chapter V (“Framework for action and follow-up”), section A (“Thematic areas and cross-sectoral issues”)

2. Venezuela states its reservation in respect of the whole of paragraph 129 on the initiative by the Secretary-General on Sustainable Energy for All, with which our country does not agree. In our view, the initiative is not legitimate as it was developed without a mandate from Member States; it was not prepared through the usual process of consultations and approval by Member States; it does not take into account Government’s negotiations on these matters; and it proposes strategies that violate sovereignty and could lead to trade distortions that would result in barriers to trade in hydrocarbons and in products manufactured from them.

3. Venezuela states its reservation in respect of the words “access to services” in paragraph 125 as they distort language used within the framework of the World Trade Organization to mean the liberalization of such services. The Bolivarian Republic of Venezuela has made no commitment to open access to energy services to the private sector. Access to services and openness of energy services must be consistent with the commitments of developed countries to promote technology transfer that does not foster dependence and allows preferential terms for developing countries.

4. Venezuela states its reservation in respect of the words “modern energy services” in paragraphs 125, 126 and 127 as they imply the use of new technologies without the requisite evaluation of their application in a national context and of technological development priorities. Venezuela also states its reservation in respect of the use of the term “subnational” as it may allow States or regions to enter into agreements with multilateral bodies independently, without consulting with the central Government, which contravenes our domestic law.

B. Clarification of position in respect of paragraph 162 in the section on “Oceans and seas”, chapter V (“Framework for action and follow-up”), section A (“Thematic areas and cross-sectoral issues”)

5. The delegation of Venezuela offers the following explanation of its position on paragraph 162:

(a) In the interests of consensus and with a view to moving forward on issues which are very important for sustainable development, conservation of the marine environment and biological diversity, the Bolivarian Republic of Venezuela prefers not to insist on substantive objections despite the obvious justification for them;

(b) In respect of marine activity and its impact beyond areas of national jurisdiction, the Bolivarian Republic of Venezuela reiterates its observations on the issue of biological diversity beyond areas of national jurisdiction and continues to hope that the decisions to be taken, including negotiations on a future multilateral instrument, will be guided by the spirit of inclusion;

(c) Lastly, it should be mentioned once again that Venezuela is not a party to the United Nations Convention on the Law of the Sea and that the fact that it has not objected to the documents adopted at this Conference cannot be interpreted as a change in position in respect of that Convention and its role in the context of a future legal regime applicable to marine resources beyond the areas of national jurisdiction.

C. Reservation in respect of the whole of paragraph 225 in the section on Sustainable consumption and production, chapter V (“Framework for action and follow-up”), section A (“Thematic areas and cross-sectoral issues”)

6. The Bolivarian Republic of Venezuela, basing its position on the State’s Constitution (1999), states its reservation in respect of the whole of paragraph 225 on the elimination of fossil fuel subsidies as this constitutes interference with the public policies of Member States. Therefore, we do not agree that it is linked to any of the so-called “sustainable development objectives”. Venezuela will not agree to any type of evaluation or monitoring of, reporting on or review of our national energy measures and policies that affects our national sovereignty. This paragraph is also a departure from and a significant modification of the agreed elements of the 2002 Johannesburg Plan of Implementation.

7. The Bolivarian Republic of Venezuela requests that this statement form an integral part of the adoption of the final document and that it be included in the records of this Conference.