

## OECP-4 Highlights Monday, 4 March 2019

On Monday morning, delegates discussed organizational matters, budget, and programme performance in plenary. In the afternoon, they provided comments on the draft ministerial declaration to be adopted at the fourth session of the UN Environment Assembly (UNEA-4). They met throughout the day in five clusters to discuss draft resolutions.

### Plenary sessions

**Opening:** OECP-4 Chair Francisca Ashietey-Odunton, Ghana, welcomed delegates, saying the shared objective for the week is to build consensus on a package of significant draft resolutions and decisions to submit to UNEA-4. Joyce Msuya, Acting Executive Director, UN Environment (UNEP), praised the diversity of draft resolutions as an indication of the commitment to addressing the environmental challenges the planet faces, and said OECP-4 leadership is “absolutely central” to a successful UNEA-4 outcome.

Delegates adopted the provisional agenda (UNEP/OECP-4/1) without amendment and approved the proposed organization of work (UNEP/OECP-4/INF.12). Delegates agreed to the Chair’s proposal to defer approving the draft minutes of the 145th Committee of Permanent Representatives (CPR) meeting to its 146th meeting in order to provide more time for Member States to submit comments.

**Statements by Regional and Political Groups:** Several speakers expressed appreciation to UNEA-4 President Siim Kiisler (Estonia), the CPR, Bureau and Secretariat for their thorough preparation of the meeting.

The GROUP OF LATIN AMERICA AND CARIBBEAN COUNTRIES (GRULAC) stressed the need to change patterns of consumption and production, strengthen trade, and work toward sustainable development.

The AFRICA GROUP, referring to its proposed resolution on this issue, urged UNEP to adhere to the spirit of the Rio+20 outcome and the Addis Ababa Action Agenda, facilitate funding to implement previous UNEA resolutions, and undertake balanced reporting on all decisions and resolutions.

The EU and its Member States, with Montenegro and Ukraine, drew attention to its three proposed resolutions on circular economy, sound management of chemicals and waste to accelerate action toward 2020 targets, and agricultural supply chains.

The LEAGUE OF ARAB STATES called for strengthening the roles of UNEP and UNEA to better serve the international agenda, and highlighted the importance of waste management, especially of food waste.

WOMEN, with NGOs, cautioned against “the continued closing space” for civil society participation in UNEA, and called for the emerging resolutions to have a binding nature, and to commit to the rapid phase-out and substitution of harmful substances by 2020. NGOs stressed that discussions of innovation must include social innovation. She highlighted concerns about ongoing threats to the safety of NGOs and environmental activists.

**Budget and Programme Performance, including Implementation of the Assembly’s Resolutions:** The Secretariat introduced several reports on programme activities.

Delegates took note of the reports on implementation of: resolution 3/1 on pollution mitigation and control in areas affected by armed conflict or terrorism (UNEP/EA.4/5); resolution 3/4 on environment and health (UNEP/EA.4/7); and resolution 3/6 on managing soil pollution (UNEP/EA.4/9). The Secretariat promised written responses to EU suggestions for clarifications and further information in each of these reports.

On a package of reports regarding the marine environment (UNEP/EA.4/11, 4/12, INF/6, INF/7 and INF/14), the EU called for better defining follow-up steps regarding marine plastic litter and microplastics, and, with NORWAY, proposed including a paragraph in the Ministerial Declaration on the future of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA). The EU and NORWAY suggested that the GPA be discontinued, and that the three partnerships developed under the GPA be integrated with the UNEP regular programme and budget, and come under UNEA supervision. Delegates deferred action on the marine reports until a later plenary so that interested parties could develop any additions or revisions needed.

On implementation of resolution 3/8 on air pollution (UNEP/EA.4/13), the EU acknowledged progress on monitoring and assessment. She encouraged UNEP to continue its close partnership with other UN entities and actors.

On lead paint and lead-acid batteries (UNEP/EA.4/14), the EU noted the mandate provided by several prior resolutions of UNEA and the Governing Council (GC), and urged UNEP to “significantly advance” its work on prioritizing efforts toward the global 2020 goal on sound management of chemicals.

On water pollution and water-related ecosystems (UNEP/EA.4/15), the EU noted that no approved conclusions have become available from the Fourth Intergovernmental Review Meeting on the Implementation of the GPA, held in Bali, Indonesia, on 31 October and 1 November 2018. She called for additional work to monitor and implement SDG 6 on water and sanitation, and requested building the Global Wastewater Initiative and the Global Partnership on Nutrient Management into the UNEP Programme of Work (POW).

On strengthening the role of UNEP (UNEP/EA.4/16), the EU requested the Secretariat to provide more information and analysis regarding the lack of progress regarding efforts to improve UN system-wide coordination, Environment Fund contributions, and the science-policy interface.

Delegates took note, without comment, of reports on: implementation of outcomes of UNEA-1 and UNEA-2 (UNEP/EA.4/INF/13); implementation of “Towards a Pollution-Free Planet” plan (UNEP/EA.4/3); innovative solutions for environmental challenges and sustainable consumption and production (SCP) (UNEP/EA.4/17); the Programme on the Development and Period Review of Environmental Law (Montevideo Programme) (UNEP/EA.4/19); the Global Chemicals Outlook II summary for policymakers (UNEP/EA.4/21); the International Resource Panel’s report on the Global Resources Outlook 2019 (UNEP/EA.4/22); and financing the sound management of chemicals and waste (UNEP/EA.4/INF/16).

**Consultation on Ministerial Declaration:** UNEA-4 President Kiisler highlighted the UNEA-4 draft Ministerial Declaration is an ambitious and action-oriented document. Stressing that “we simply cannot continue on our current path,” he called for delegates to focus on common goals and to demonstrate flexibility in negotiations in order to endorse the draft Declaration by Friday.

EL SALVADOR said that the draft Declaration should take into account an ecosystem restoration approach, in line with the UN General Assembly’s recent endorsement of the UN Decade on Ecosystem Restoration.

The EU pointed to possible areas of improvement in the draft Declaration, such as the need to mention the opportunities brought about by circular economies.

MONTENEGRO requested that language supporting a stronger presence of UNEP be included in Article 5.

### **Working Groups**

Delegates met in five working groups for a first read-through of draft resolutions, and submitted proposed changes in writing at the end of the day, in preparation for further discussions on Tuesday.

**Cluster 1 on innovative solutions for environmental challenges and sustainable consumption and production (SCP):** Koleka Anita Mqulwana (South Africa) and Erik Lundberg (Finland) facilitated discussion on three draft resolutions from the cluster.

On clean and electric mobility, proposed by Argentina, Chile, Peru and Costa Rica, several delegates called for including other sustainable or low-carbon transport and referring to policies on air

travel, biofuels, and active transportation options such as cycling and walking. They debated whether or not to refer to “sustainable” biofuels. One country objected to a reference on “reaffirming the findings” of the Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming of 1.5 °C, while some delegates preferred maintaining this reference. They discussed whether or not the issue should be pursued in a small working group, or negotiated in the whole cluster group.

On sustainable infrastructure, proposed by Mongolia, several Member States noted the importance of linking this resolution with the work of international financial institutions and the private sector and with other issues such as climate change mitigation and adaptation, including resilience to disasters. One developed country requested deleting language on supporting sustainable infrastructure in developing countries through enhanced financial and technical support. A group of developing countries opposed the suggestion. Several delegates proposed to include a specific reference to mining in relation to sustainable infrastructure, while others questioned its necessity.

Discussion on this draft resolution, and on SCP in a circular economy, proposed by the EU, Colombia, Japan, Chile and Indonesia, continued into the evening.

**Resource efficiency, chemicals and waste:** Co-facilitators Elizabeth Taylor (Colombia) and Marcus Davies (Canada) explained that some draft resolutions were the result of having consolidated various proposals, some could potentially be merged, and some would remain as stand-alone texts. The group heard updates from proponents tasked with exploring possible mergers, with each asking for more time for consultations before reporting to the group. Delegates then discussed the preamble sections in two proposals in that cluster.

On solid waste management, proposed by the League of Arab States, Sri Lanka and Turkey, delegates’ debate centered on references to existing UNEA resolutions on chemicals and waste, linkages to SDGs, and possible references to circular economy and SCP.

On marine plastic litter and microplastics, proposed by Japan, Norway and Sri Lanka, delegates discussed making reference to prior UNEA resolutions and the potential for adding value to these. A group of developed countries called for greater attention in the text to the health impacts of this issue.

**Ecosystems and biodiversity management and protection:** Julia Pataki (Romania) and Martin Gronda (Argentina) facilitated discussion on five out of the eight resolutions in this cluster.

On protection of the marine environment from land-based activities, proposed by Indonesia, some developed countries expressed concern about potential budget implications of a proposed Capacity Center. The Secretariat explained it would be a national center supported by Indonesia as part of UNEP’s Regional Seas Programme in East Asia. Countries requested more information about potential synergies with similar institutions, and warned against duplication of efforts. One country announced its intention to establish a regional knowledge hub on marine plastics in Southeast Asia.

On sustainable coral reefs management, proposed by Indonesia and Monaco, delegates debated what emphasis should be given to the importance of local actions vis-à-vis the impacts of climate change. A group of developed countries proposed further text stressing the importance of fully implementing actions to achieve Aichi Biodiversity Target 10 on coral reefs, and proposed developing guidelines and criteria for responsible coral restoration where appropriate for coastal defense and for restoration of fish nursery areas, as well as a review of possible funding mechanisms. The text was bracketed, pending further consideration.

On deforestation and agricultural commodity supply chains, proposed by the EU, two parties bracketed the resolution: one said it was “discriminatory” towards tropical and subtropical regions and towards the agricultural sector, and the other requested that all references to trade, OECD guidelines, and commodity supply chains be deleted. Several delegations called for greater recognition of differing national contexts.

On innovation in sustainable rangelands and pastoralism, proposed by the African Group, a new paragraph referring to the work of the Global Agenda for Sustainable Livestock was introduced. Delegates discussed, *inter alia*, whether to qualify references to indigenous people, with some arguing that there is no universal definition. Several delegations also questioned the proposed global assessment on trends in rangelands and pastoralism, expressing concerns about the financial and human burden involved.

On the sustainable blue economy, proposed by Kenya, some countries expressed concern that there is no agreed definition of this concept, and one proposed reworking the text to align with SDG 14 on life below water. A coalition group stressed the importance of participatory, transparent and inclusive governance, and of anticipatory spatial planning through an ecosystem-based approach, also stressing the importance of the Regional Seas Convention in supporting SDG 14. Delegates agreed that like-minded countries would meet informally to redraft the text.

**Cluster 4 on environmental governance:** The group opened discussions on all five draft resolutions in this cluster, chaired by co-facilitator Agus Justianto (Indonesia).

On geoengineering, proposed by Switzerland, several delegates raised concerns about potential duplication of work in other forums, and noted lack of consensus on what technologies are captured by the term.

On promoting gender equality, and the human rights and empowerment of women and girls in environmental governance, proposed by Costa Rica, one delegation questioned a reference to the right to a healthy environment, arguing that such a right has not been recognized under international law.

On mineral resources governance, proposed by Mexico, several countries expressed support for the resolution, noting that dependency on mineral resources is expected to continue. One country argued for text reflecting that sustainability concerns should not come at the expense of economic and social dimensions.

On the poverty-environment nexus, proposed by the African Group, some countries supported the resolution, while warning against potential duplication with the work of UNDP’s country offices and the UNDP-UNEP Poverty-Environment Initiative. One Member State also questioned whether there is a direct link between poverty and environment, as suggested by the resolution.

On the fifth programme for the development and periodic review of environmental law (Montevideo V), proposed by the US and Uruguay, several delegations noted the potential of the programme in supporting Member States in the implementation of environmental law.

**Cluster 5 on UNEP Programme of Work and related issues:** Lori Peterson Dando (USA) and Marta E. Juárez Ruiz (Costa Rica) facilitated discussions on two of the five draft resolutions in its cluster.

On adoption of the implementation plan “Towards a Pollution-free Planet”, proposed by Costa Rica and the EU, delegates proposed new language, which stressed, *inter alia*, the role of UNEP at the regional and subregional levels, and of the Executive Director (ED) in leveraging expertise through partnerships. One delegate commented that, while the resolution calls for the ED to report back on implementation at UNEA-5, countries often do not sufficiently engage.

The group then began consideration of the draft resolution on the proposed Programme of Work and budget for 2020-21, presented by the Secretariat. Delegates commented on the need for efficiency and transparency in budgeting. Discussions on this resolution continued into the evening.

### *In the Breezeways*

Delegates faced a crowded agenda that included the highest number of draft resolutions ever tabled at UNEA, and a draft Ministerial Declaration focusing on possible action on issues as diverse as clean mobility, marine plastics, agricultural commodity supply chains, and geoengineering. Much of the day was dedicated to working group meetings that conducted initial readings of resolutions, and informal consultations to hammer out compromise text and consolidate resolutions. Discussions stretched into evening sessions, with consideration of contentious issues on the draft Ministerial Declaration postponed until Tuesday evening.

Some delegates wished for working groups to discuss all resolutions in granular detail even if it meant working over the weekend, rather using the fast-track approach of farming out tricky issues to informal sideline negotiations among interested parties with delegations large enough to multi-task. Despite hopes in some working groups for quick progress by starting with the “easier” draft resolutions, negotiations on the first day produced fresh loads of new brackets. One seasoned observer noted, “Unless delegations stop micro-managing resolution text, they won’t make the Friday deadline without burning a lot of midnight oil.”



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