

OECP-3 HIGHLIGHTS: FRIDAY, 1 DECEMBER 2017

On the final day of the third meeting of the Open-Ended Committee of Permanent Representatives (OECP-3), delegates continued negotiations in the five contact groups throughout the day, adding extended sessions into the night. During the evening closing plenary, they welcomed the successful conclusion of discussions on the draft ministerial outcome document and agreed to forward the document to UNEA-3 for consideration. Delegates also adopted eight of the 13 draft decisions and resolutions by acclamation and earmarked the remaining four resolutions for informal consultations over the weekend.

CONTACT GROUPS

CONTACT GROUP ON OVERALL COORDINATION:

This contact group, facilitated by Committee of Permanent Representatives (CPR) Chair John Moreti (Botswana), met throughout the day. Continuing from Thursday's informal consultations, delegates did not agree on a date for UNEA-4. With regard to the draft decision on the management of trust funds and earmarked contributions, they asked whether Member States will be consulted on any reassignment of the balances, and requested more time to consult.

Delegates then resumed their reading of the Mexico-proposed draft resolution on UNEA's contribution to the High-Level Political Forum on Sustainable Development (HLPF), with discussions continuing in the afternoon. Among issues, the group discussed whether to specify that the UNEA President's contribution to the HLPF should be "written and oral," with some emphasizing the importance of ensuring both types of contributions are made, and others suggesting UNEA does not have the mandate to decide this.

The discussions also addressed whether a template provided by the United Nations Economic and Social Council (ESOSOC) should be "considered," "used," or "used as appropriate," with some registering concern about appearing to restrict UNEA's input to this document alone. The Secretariat clarified that according to the relevant ECOSOC invitation, the template "could" be considered.

Other areas of debate included how to address: inputs from UNEA in years that it does not meet; the need to provide feedback to UNEA from the HLPF process; the hierarchy among the UNEA President, the CPR and the Secretariat with regard to preparation of inputs; and outcomes of regional forums on sustainable development. Delegates agreed to specify that

regional offices should conduct related work "within available resources." The group managed to agree on all paragraphs to forward to the OECP plenary.

CONTACT GROUP 1: This group, chaired by CPR Vice-Chair Raza Bashir Tarar (Pakistan), met throughout the day to complete reading through two draft resolutions under consideration.

In the morning, delegates completed a first reading of the resolution on pollution mitigation by mainstreaming biodiversity into key sectors, proposed by Mexico and co-sponsored by Colombia and Egypt. Delegates engaged in lengthy exchanges on bracketed text, including on the notion of "compensating" or "remediating" the negative impacts of pollution on biodiversity. Proposals to include reference to provisions contained in multilateral trade rules and subsidies were also rejected. Noting that there is an established process for deciding the themes of future UNEA meetings, many delegates opposed paragraphs calling for the consideration of biodiversity as a possible theme for UNEA-4. They placed reservations on text requesting the UN Environment Programme (UNEP) Executive Director to prepare a concept note on the possible contributions by UNEP to the envisaged process of follow-up to the Strategic Plan for Biodiversity 2011-2020.

The contact group then turned to the draft resolution on addressing water pollution to protect and restore water-related ecosystems, as proposed by the African Group, the US, Costa Rica and Colombia, with the understanding that the group would go through proposed amendments and leave time to engage informally before concluding the reading. Delegates highlighted proposed text, including on: threats of severe pathogen pollution in water bodies in developing countries; requirements for integrated and intersectoral sustainable solutions; the UN Ocean Conference, specifically the voluntary commitments made; the importance of available and accessible finances for monitoring of water quality and sharing of data; and transboundary cooperation.

Resuming discussion of the text in the afternoon, some Member States objected to: the inclusion of future forum outcomes, such as the eighth World Water Forum; and reference to assessments that have not been clearly presented to Member States. Delegates also opposed the introduction of "aspirational" text, such as on international surveillance detection initiatives to strengthen preparedness and address waterborne diseases. They considered text calling for the UNEP Executive Director to provide, *inter alia*: assistance to developing countries to strengthen their capacity to reach water-related Sustainable Development Goal (SDG) targets; support for investment in management of land and ecosystems to prevent pollution; and

assistance to clean and reclaim polluted water bodies. The African Group agreed to withdraw a related draft resolution on ‘Accelerating efforts to address water pollution and to protect and restore water-related ecosystems,’ in order to facilitate the contact group’s progress.

In the afternoon, the group resumed consideration of the draft resolution on marine litter and microplastics, proposed by Norway and Australia and co-sponsored by Iraq and Monaco.

CONTACT GROUP 2: This group, chaired by Elizabeth Taylor (Colombia), met in the morning and afternoon to consider two draft resolutions. Delegates spent most of the day on the lead resolution, proposed by the US, Argentina and the African Group, which saw several lengthy debates in which delegates demonstrated their differences in regional preferences and expertise on issues such as capacity building, and varying approaches to lead disposal and recycling. Delegates eventually managed to clear all the bracketed text.

With regard to the draft resolution on environment and health submitted by the EU and sponsored by Monaco, delegates convened an additional session in the evening but did not manage to finalize the text.

CONTACT GROUP 3: The group, chaired by Tarja Fernández (Finland), met throughout the day and reached agreement on both of its draft resolutions: improving air quality globally; and preventing pollution in conflict-affected areas.

CONTACT GROUP 4: This contact group, chaired by Marek Garzdecki (Poland), met in the morning and afternoon to discuss remaining bracketed text in the two draft resolutions on: investing in innovative environmental solutions for accelerating the implementation of the SDGs; and addressing soil pollution. Despite efforts to introduce compromise language, the group was unable to clear all bracketed text.

CLOSING PLENARY

Opening the session, Chair Moreti thanked all delegates for their engagement, stating that “by all accounts we have achieved substantial progress.” UNEP Executive Director Erik Solheim reflected that the well-attended OECPR-3 has set “us on track for a successful event” at UNEA-3, and underscored the value of embracing government, business and civil society “with a language we can all understand.” Acknowledging the view that more time is needed to determine how to reduce acronyms in reference to UNEP, he retracted the proposed draft resolution on improving communication on the environment for further consideration by the CPR.

Adoption of CPR report: The Committee approved the minutes of the 140th meeting of the Committee of Permanent Representatives (UNEP/OECPR.3/2), held on 31 October 2017, without comment.

Adoption of draft decisions: Delegates adopted two draft decisions on: the management of trust funds and earmarked contributions (UNEP/EA.3/L.18); and extension of the delivery date for the sixth Global Environment Outlook (UNEP/EA.3/L.2). Following clarification from Chair Moreti that a final decision on the dates of UNEA-4 would be made by the Assembly, delegates also agreed to forward the text on the provisional agenda, date and venue of UNEA-4 (UNEP/EA.3/L.16) to UNEA-3 for consideration.

Ministerial outcome document: UNEA President Edgar Gutiérrez-Espeleta introduced the report on consultations on the ministerial outcome document, describing it as a concise, action-oriented explanation of how governments intend to combat

pollution. The OECPR agreed to endorse the document (UNEP/EA.3/L.19 Rev.1) and forward it to UNEA-3, without prejudice to discussions by environmental ministers and heads of delegation.

Many delegations expressed their support for, and commitment to, the text and, together with Executive Director Solheim, praised UNEA-3 President Gutiérrez-Espeleta and CPR Chair Moreti’s facilitation of the consultations. While supporting the draft’s forwarding to UNEA, the US noted that her delegation may have further comments when the Assembly convenes.

The Women Major Group reiterated the important role that civil society plays in defending the environment. Stressing that UNEA-3’s efforts to beat pollution cannot succeed without systemic change, she called for a move away from neoliberalism and for “development justice.”

Adoption of draft resolutions: Chair Moreti commended the contact groups for finalizing eight out of 13 draft decisions and resolutions. Delegates adopted the six finalized draft resolutions on: Contributions of UNEA to the HLPF (UNEP/EA.3/L.7); Investing in innovative environmental solutions for accelerating implementation of the SDGs (UNEP/EA.3/L.13); Managing soil pollution to achieve sustainable development (UNEP/EA.3/L.14); Preventing and reducing air pollution to improve air quality globally; Pollution prevention and control in area affected by terrorist operation and armed conflicts (UNEP/EA.3/L.5); and Eliminating exposure to lead paint and lead batteries (UNEP/EA.3/L.24).

He further informed delegates that informal consultations would continue over the weekend to make progress on four outstanding resolutions on: Environment and Health (UNEP/EA.3/L.8); Pollution mitigation by mainstreaming biodiversity into key sectors (UNEP/EA.3/L.6); Addressing water pollution to protect and restore water-related ecosystems; and Marine litter and microplastics (UNEP/EA.3/L.20).

Chair Moreti also noted that six draft resolutions initially proposed were either merged with other texts, or withdrawn.

OTHER MATTERS: UKRAINE announced its intention to join the list of co-sponsors of the draft resolution on environment and health. The Chair noted the request by BOTSWANA, on behalf of the African Group and supported by PAKISTAN, to forward the draft resolution on the consolidation of UNEP headquarter functions to UNEA-3. The Chair also took note of opposition by the EU, supported by US, SWITZERLAND, JAPAN and SINGAPORE, about the late introduction of the text and concerns that it did not contribute to the UNEA-3 theme, inviting proponents to consider forwarding it to UNEA-4 for consideration.

The Chair declared the meeting closed at 10:52 pm.

IN THE BREEZEWAYS

UNEA-3’s impending demanding schedule seemed to be “out of sight out of mind” for many delegates, as they trundled through contact groups on OECPR-3’s third and final day. The groups, which were scheduled to finish in the morning, spilled into the afternoon, pushing plenary back to the late evening. Despite the time crunch, negotiations remained cordial even as agreement on many items remained elusive. Moving to the sunny garden to air frustrations over lunch, two delegates commiserated that the resolution on lead was “a mess,” drawing attention to the overall indecision that was plaguing this preparatory meeting, but also alluding to the tension between the Global North who benefits from consumables such as batteries, and developing countries who get saddled with their waste.