

## UNEA-3 HIGHLIGHTS: MONDAY, 4 DECEMBER 2017

The third session of the United Nations Environment Assembly (UNEA-3) opened on Monday at the United Nations Office at Nairobi (UNON). After adopting the agenda and organization of work, delegates heard opening statements before convening the Committee of the Whole (COW) to review the status of decisions and resolutions to be forwarded to the Assembly for adoption. At a parallel plenary session, country representatives presented national statements.

In the afternoon, delegates convened informal consultations to move forward on outstanding decisions and resolutions, but did not manage to reach agreement on all draft texts.

### OPENING PLENARY

#### ADOPTION OF THE UNEA-3 AGENDA AND

**ORGANIZATION OF WORK:** Opening the Assembly, UNEA-3 President Edgar Gutiérrez-Espeleta (Costa Rica) invited delegates to take a moment of reflection, dedicating his minute of silence to the late State Minister of the Premier's Office for Environment of Somalia, Buri Mohamed Hamza, who was killed during an attack in Mogadishu, and to defenders of the environment. The Assembly adopted the provisional agenda (UNEP/EA.3/1 and Add.1 and UNEP/EA.3/INF/1) without comment.

Thereafter, the Assembly established a COW and elected John Matuszak (US) as Chair, and Travis Sinckler (Barbados) as Rapporteur of the COW.

**OPENING STATEMENTS:** Introducing the UNEA-3 theme, "Towards a Pollution-Free Planet," Gutiérrez-Espeleta welcomed the 2.3 million individual pledges garnered to date, and invited two young citizens from Uganda and the US to present the #BeatPollution Pledge.

In his opening remarks, Gutiérrez-Espeleta underscored that the most vulnerable are those at greatest risk from the negative impacts of pollution. He called on delegates to act now to address "a problem that we all created and that we can all fix." He added that reaching an agreement is not enough and that a "credible delivery route" is necessary to leave no one behind.

Judy Wakhungu, Cabinet Secretary for Environment, Water and Natural Resources, Kenya, highlighted her country's recent ban on the manufacture and use of plastic bags, and encouraged the UN Environment Programme (UNEP) to strengthen its headquarters functions in line with the outcome of the UN Conference on Sustainable Development (UNCSD or Rio+20).

UNEP Executive Director Erik Solheim highlighted government, business, and civil society as drivers of change. Among key environmental issues, he identified: environmental security, green finance, and protection of nature.

Miroslav Lajčák, President of the 72nd session of the UN General Assembly, said that partnerships and multilateralism lie at the core of the journey towards a pollution-free planet, and UNEA will be the "leader of the pack."

Sahle-Work Zewde, Director-General, UNON, expressed the Office's commitment to support UNEP through a strengthened partnership, to secure "Africa's place in the UN and the UN's place in Africa."

PAKISTAN, for the G-77/China, emphasized the importance of effective follow-up and implementation following UNEA-3, and reaffirmed his group's commitment to the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda.

ESTONIA, on behalf of the EU, with Bosnia and Herzegovina, Montenegro, Serbia, and Ukraine, reiterated their commitment to global joint action to address pollution. He called for continued collaboration between UNEP and the World Health Organization to address the health and wellbeing of the people and planet.

GABON, for the African Group, reiterated that pollution undermines the realization of sustainable development, and identified poverty eradication as the greatest challenge. He encouraged the UNEP Executive Director to ensure the availability of funds for the balanced implementation of decisions and resolutions.

COLOMBIA, on behalf of the Latin America and Caribbean Group (GRULAC), reaffirmed: the importance of adopting joint actions to address environmental challenges; and her region's support of the draft ministerial outcome document (UNEP/EA.3/L.19 Rev.1).

OMAN, for Asia-Pacific States, reported on recent discussions in the region, including on efforts to coordinate implementation of the Sustainable Development Goals (SDGs) and strengthen regional data.

**Report of the Committee of Permanent Representatives:** Open-Ended Committee of Permanent Representatives (OECPR) Chair John Moreti highlighted the submission of two new draft resolutions, on strengthening South-South cooperation initiatives for sustainable development, and on the consolidation of UN headquarters functions in Nairobi. Delegates agreed to forward the resolutions to the COW for consideration.

SWITZERLAND, supported by the US, proposed an amendment to the draft decision on the provisional agenda, date, and venue of UNEA-4 that would see the meeting convene back-to-back with OECPR-4. The US also requested consideration of

the number of days allocated to the OECPR and UNEA. President Gutiérrez-Espeleta indicated that this issue could be taken up in the COW. He further encouraged future Assemblies to make early submission of text a rule of UNEA's work.

### COMMITTEE OF THE WHOLE

**Adoption of COW agenda:** Opening the session, Chair Matuszak reminded delegates of the need to finalize outstanding business in time for the closing plenary in the evening, and noted the importance of adopting decisions and resolutions by consensus. Delegates adopted the COW agenda without amendment.

**Review of draft resolutions:** Facilitators of the informal contact groups reported on progress over the weekend.

Fernando Coimbra (Brazil), chair of the informal group working on the draft resolution on pollution mitigation by mainstreaming biodiversity into key sectors (UNEP/EA.3/L.6), reported that the group had completed its work. The COW agreed to forward the text to the Assembly, along with other draft texts already endorsed by the OECPR.

Diego Padilla (Costa Rica) reported that remaining bracketed text in the draft resolution on addressing water pollution to protect and restore water-related ecosystems (UNEP/EA.3/L.27) had been cleaned. The COW agreed to forward the draft resolution to the UNEA-3 plenary.

Reporting on the draft resolution on environment and health (UNEP/EA.3/L.8), Elizabeth Taylor (Colombia) announced that the group had reached agreement on one paragraph, but had not managed to finalize others.

On marine litter and microplastics (UNEP/EA.3/L.20), facilitator Andrew McNee (Australia) reported that constructive consultations had produced compromise text, with the exception of language on the modalities of a proposed open-ended *ad hoc* working group to strengthen international governance structures for combating marine litter and microplastics.

Following China's clarification that it was "still consulting," the proposed new resolution text on South-South cooperation, submitted by the African Group, China, Costa Rica and Indonesia, was withdrawn.

Chair Matuszak then proposed the establishment of two Friends of the Chair groups, facilitated by Colombia and Australia, respectively, to consider the outstanding OECPR decisions. He also announced that the Contact Group chaired by Iraq would continue meet to consider the new draft text on consolidating UNEP headquarters functions. He informed delegates that despite the finalization of the draft resolution on pollution prevention in areas affected by terrorism and armed conflict during the OECPR segment, the contact group had agreed to hold consultations with capitals due to the political nature of the text. He said that informal consultations, chaired by Finland, would therefore continue in the evening.

**CLOSING PLENARY:** The COW reconvened after 8:00 pm. Facilitator McNee reported that the Friends of the Chair group on marine litter and microplastics had successfully cleared the remaining bracketed text. The COW approved this draft resolution (UNEP/EA.3/L.20) without objection.

Presenting progress by the Friends of the Chair group on health and environment, Facilitator Taylor reported that despite efforts to consolidate four proposed paragraphs, agreement was not attained. She requested the Chair to work through two alternative paragraphs. Chair Matuszak regretted that new text was introduced and proposed that the text agreed on by all but one delegation be forward to UNEA-3. KENYA opposed this proposal, expressing intention to forward text approved

by consensus. SOUTH AFRICA requested, without objection, the inclusion of a footnote to the IPCC's Fifth Assessment Report regarding vector-borne diseases in climate change. Chair Matuszak proposed considering other agenda items before returning to this issue.

Facilitator Tarja Fernandez (Finland), reporting on progress in the informal consultations on pollution prevention in conflict-affected areas, said the group had managed to reach agreement on the outstanding issues, including reference to "mitigation" rather than "prevention" in the title. The COW approved the revised draft resolution (UNEP/EA.3/L.5) without objection.

Delegates then turned to the draft decision on the provisional agenda, date and venue of the next UNEA session (UNEP/EA.3/L.16), with the Secretariat introducing its note on "critical requirements" for organizing UNEA meetings; including organizational, translation and other conference services, as well as travel costs. After extended discussions, the group was unable to reach consensus on three broad proposals: one, tabled by SWITZERLAND, and supported by the US, EU, and RUSSIA, calling for shorter, back-to-back sessions of OECPR-4 and UNEA-4; those countries, including BRAZIL, KENYA and ZIMBABWE, favoring reverting to OECPR and UNEA as originally conceived, comprising longer five-day meetings with an intersessional period of several months; and a compromise formulation by MEXICO, opposed by RUSSIA, proposing a five-day UNEA, "on an exceptional basis" to facilitate the transition towards a "normal cycle of Assemblies" in the future.

BRAZIL emphasized the need to ensure adequate preparation for the HLPF's review of "environmental SDGs" in 2018.

After a short break to allow for further consultations among the main positions, IRAQ, as Chair of the Contact Group on the draft resolution regarding consolidating UNEP headquarters functions, reported that progress had been made after the first reading, and requested time for additional meetings to further consult with legal advisors.

Chair Matuszak reported that delegates had not managed to reach consensus on three remaining draft texts on environment and health, date and venue of UNEA-4, and strengthened functions for UNEP. He proposed suspending the plenary until Tuesday evening to allow for further consultations. Delegates agreed to reconvene the COW in the evening, with no interpretation services and on the proviso that any text in brackets would be deleted so as to forward clean text to the Assembly.

Chair Matuszak then suspended the COW at 12:42 am.

### IN THE BREEZEWAYS

Technical difficulties, or "ghosts of the COW," haunted proceedings on Monday, as an unfamiliar voice echoed throughout the hall when the room's speakers were temporarily taken over by those of another, countries' speech buttons lit up without delegates seated behind them, and interpretation was missing during an intervention by the Chinese delegation. Equally mysterious was whether or not a draft resolution on strengthening South-South cooperation was on or off the table.

Despite the patience and comedic timing with which COW Chair John Matuszak managed these challenges, tensions were palpable as the Committee's work – already scheduled to continue until 11:00 pm – was slowed by these various procedural and technical challenges. Eyeing the agenda of Tuesday's busy High-Level Segment, an observer hoped for another mystical intervention from "good spirits" to help bring the meeting to a successful conclusion.