

OECP-4 Highlights Tuesday, 5 March 2019

On Tuesday, the fourth meeting of the Open-ended Committee of Permanent Representatives (OECP-4) continued its discussions in preparation for the fourth session of the UN Environment Assembly (UNEA-4), in plenary sessions that ran in parallel with working group negotiations throughout the day. Delegates discussed the budget and programme performance of the UN Environment Programme (UNEP), contributions to the 2019 High-Level Political Forum on Sustainable Development (HLPF), and the Sixth Global Environment Outlook (GEO), while working groups deliberated on the text of draft resolutions and decisions to be forwarded to UNEA-4.

Plenary sessions

Stocktaking: Co-facilitators from the five working groups considering draft resolutions reported back to plenary on their progress, and OECP-4 Chair Ashietey-Odunton clarified that all co-facilitators have authority to determine the sequencing of discussions on resolutions.

Budget and Programme Performance: Delegates continued plenary discussions from Monday on this agenda item. The Secretariat reported on results of 36 project evaluations and programme performance in UNEP's seven sub-programmes, noting positive trends, and highlighting the need to increase core funding, which currently represents 21% of overall resources.

The EU expressed concern about the wide gap between the agreed budget and actual contributions, and about the lack of balance between core funds and earmarked funds. He called for increasing the range of contributors to UNEP, and welcomed its efforts to promote transparency around donor contributions.

Switzerland expressed support for the proposed USD 200 million budget of the Environment Fund for the 2020-21 biennium, and for the Secretariat to engage with new funding partners while remaining true to its core mandate. He cautioned against treating the Programme of Work (POW) and UNEA resolutions as two distinct work streams.

The Secretariat presented the following documents: Proposed POW and Budget for the Biennium 2020–2021 (UNEP/EA.4/4); Report of the Executive Director on the Management of Trust Funds and Earmarked Contributions (UNEP/EA.4/INF/5);

Funding Implications of the Policy-Making Organs in the Context of the Programme of Work and Budget 2020–2021 (UNEP/EA.4/INF/10); Voluntary Indicative Scale of Contributions (VISC) (UNEP/EA.4/INF/11). She outlined the proposed 2020–2021 POW and budget and the state of the Environment Fund and trust funds, noting, *inter alia*, that UNEP will submit a proposal to the UN General Assembly (UNGA) for better covering the costs of UNEA, and that around half of contributing Member States in 2018 had pledged contributions at or above their VISC level.

The US stressed that UNEP should not engage in new initiatives for the Arctic and Antarctica, and that UNEP's resource efficiency sub-programme strategy should not be influenced by the International Coalition for Green Development on the Belt and Road, since UNEP's participation in the Coalition has been suspended.

In response to further comments, the Secretariat explained that calculation of programme budget implications is a new initiative for discussion purposes, and is not in the draft budget. She welcomed Member States' participation in UNEP's "re-energized" resource mobilization strategy, and promised written responses on other concerns.

Delegates took note of the reports under this agenda item.

Agenda item 6: Contributions to the HLPF: Elizabeth Mrema, UNEP, introduced documents on progress in the implementation of resolution 3/3 on contributions of UNEA to the High-Level Political Forum on Sustainable Development (UNEP/EA.4/6) and Report of the Executive Director on the management of Trust Funds and earmarked contributions (UNEP/EA.4/INF.5). She noted the 15 March deadline for contributions to be provided to the 2019 HLPF.

The EU requested aligning the document with the outcome of OECP-4 discussions. He cautioned against calling for creative approaches on sustainable consumption and production (SCP) without reflecting on solutions that may already exist. He warned that discussion of the human right to a clean, safe and healthy environment would preempt discussions taking place elsewhere, and he requested including input on the need to work towards a transformative mode of governance. Finally, he requested amending the language on SCP, to indicate this must be addressed without delay.

Montenegro called for fully integrating several Sustainable Development Goal (SDG) targets especially relevant to UNEP into the POW, including target 3.9 on pollution, target 6.3 on wastewater, target 12.4 on the sound management of chemicals and waste, and target 14.1 on reducing marine pollution.

NGOs emphasized the need to tackle unsustainable patterns of consumption and production, and stressed the need for a healthy environment.

Mrema said that comments relating directly to the document would be incorporated in a revision, while the Secretariat would respond separately to other concerns in writing.

Agenda item 7: Update on the Sixth Global Environment

Outlook (GEO-6): Mrema introduced the GEO-6 Summary for Policymakers (SPM) (UNEP/EA.4/18) and the GEO-6 Key Messages (UNEP/EA.4/INF/18), noting that the latter had been entrusted to the Bureau of the SPM meeting in January 2019 to complete. The EU stressed its strong support for GEO-6, expressing the hope it will influence the upcoming HLPF and the Global Sustainable Development Report. He called for harmonizing global assessments on similar topics, and for a full discussion about what Member States want in GEO-7 before that process is launched. Delegates welcomed the two reports.

Working Groups

Innovative solutions for environmental challenges and sustainable consumption and production (SCP): The group first discussed a draft resolution enhancing environmental sustainability through green business, proposed by the African Group. Delegates debated whether to change language on “green” to “sustainable” business, as one country questioned the definition of “green business”, while others stressed the importance of the private sector’s role in all dimensions of sustainable development. They then discussed a paragraph on sectoral policies to provide incentives for investments in “green” business through “green” public procurement and “reform of environmentally-harmful subsidies.” Co-facilitator Koleka Anita Mqulwana (South Africa) invited delegates to form small groups to finalize the text.

Delegates then discussed the two resolutions on food loss and waste management through accepted sustainable practices, proposed by Sri Lanka, and on promoting innovation solutions for curbing food loss in hot climates, proposed by the Arab States. Proponents agreed to merge the resolutions, and delegates agreed to defer further discussion until a new draft is available tomorrow.

On SCP in a circular economy, several countries called for deleting language highlighting the findings of the Global Resources Outlook 2019, which suggests moving away from high-emission, resource-depleting, polluting and waste-creating systems. Some delegates discussed whether or not to maintain references to “circular economy”, arguing that there is a lack of evidence on the benefits of a circular economy approach and cautioned against imposing a new concept, while others restated their preference to keep the language on a circular economy.

The group will resume discussions on Wednesday morning.

Resource efficiency, chemicals and waste: The working group focused solely on negotiating operative paragraphs. On sound management of chemicals and waste, proposed by the EU, four paragraphs of the 15 considered were agreed. Disagreements included whether to:

- reference target 12.4 (environmentally sound management of chemicals and waste) of the 2030 Agenda;
- welcome the High Ambition Alliance on Chemicals and Waste;
- highlight the importance of establishing non-toxic material cycles;
- reference circular economy models;
- welcome or “take note of” the second Global Chemicals Outlook (GCO II); and
- call for allocating responsibilities to industry and the private sector.

The co-facilitators suggested informal consultations among interested parties to work out compromises on each of these issues. Informal consultations continued on the sidelines about possible ways to add the African Group’s proposal on chemicals science-policy interface into this draft resolution. The group agreed to address the remaining 15 operative paragraphs on Wednesday.

On sustainable nitrogen management, introduced by India, points of disagreement included whether to:

- single out the UN Food and Agriculture Organization (FAO) or refer to all “relevant” UN bodies;
- reference multilateral environmental agreements;
- reference the nitrogen budget approach; and
- “facilitate” assessments of multiple benefits of improved nitrogen management or “coordinate existing assessments.”

The group decided the draft resolution on global governance on marine plastic litter and microplastics, proposed by Japan, Norway and Sri Lanka, contained too much bracketed text to conduct a fruitful first reading. The proponents agreed to schedule an informal meeting on Wednesday morning for all interested parties to try to further “clean” the text before the group attempted a full first reading.

Ecosystems and biodiversity management and protection:

On sustainable peatland management, proposed by Indonesia, a developed country bracketed the whole text and suggested it could be merged with another resolution. Delegates agreed to defer discussion until a revised draft would be available.

Delegates completed their review of the draft resolution on innovations on biodiversity and land degradation. Some unresolved issues include whether to mention land degradation neutrality as a potential accelerator for achieving the SDGs, and text referring to the impact of climate change as a contributor to land degradation. With reference to illegal wildlife trade, delegates debated whether to maintain references to both conservation and sustainable use, with one delegate arguing these are “two legs” of a single aim. A developing country queried a proposal by a developed country on tropical ecosystems, arguing that all ecosystems are important. Several countries requested deleting

text by a group of developing countries on cooperation for access and use of “digital sequence information associated with genetic resources” as being key to innovative solutions for biodiversity.

Other points of contention related to the sensitive nature of text suggesting biodiversity data should be “open”, “especially in developing countries”, and to language that indicated particular levels of ambition: for example, whether Member States should be “called upon” or “encouraged” to renew their commitments to preventing the loss of biological diversity. Delegates discussed paragraphs relating to the post-2020 framework on biodiversity in depth, with two developed countries requesting the deletion of it being “focused on innovation”, and another suggesting it should rather be focused on “transformative change”. Several delegations urged avoiding any language prejudging what this framework will do.

Environmental governance: Delegates first discussed a paragraph related to the funding and place of the Montevideo V Programme within UNEP. One country proposed new language requesting a review report from the Executive Director by UNEA-7.

Discussions on the geoengineering resolution began with warnings from several delegates that significant reservations from some Member States would render a first reading of the text excessively difficult, and that private consultations to build consensus should first take place. The group proceeded with a reading of the text. Among other proposed amendments, a developed country supported new language referring to the Intergovernmental Panel on Climate Change (IPCC) Special Report on Global Warming of 1.5 degrees, whereas a developing country called for referring to common but differentiated responsibilities (CBDR) and the role of the UN Framework Convention on Climate Change (UNFCCC). Some delegates cautioned the negotiations were veering into the difficult political domain of climate change, while others said discussions on geoengineering and climate change are unavoidably intertwined. Delegates also debated which existing governance bodies should be referred to in the text, and whether a discussion on governance was appropriate, considering the still-embryonic scientific consensus on the nature and scope of geoengineering technologies. Delegates agreed to hold informal discussions to move forward on Wednesday.

On gender, several countries objected to references to the right to a healthy environment, the IPCC Special Report on Global Warming of 1.5 degrees, and “gender-diverse people.” Language referring to “human rights defenders” was then debated, with one party arguing that there is no global consensus on the term, while another defended the terminology.

UNEP Programme of Work and Related Issues: The group discussed two out of three resolutions and a new draft decision on the management of trust funds and earmarked contributions, which is one of three draft decisions before the working group.

Costa Rica and Germany introduced their proposed draft on adoption of the implementation plan “Towards a Pollution-free Planet,” and invited delegates to provide comments by noon on Wednesday.

On enhancing UNEP’s Science-Policy Interface and endorsement of the GEO-6 report, the proponent (US) pointed to the need for increasing the political leadership in the GEO process, and proposed annual reporting on its five thematic areas such as land, water, and oceans, pointing to its intention to avoid burdening UNEP in the current five-year cycle of publication. Some countries reserved language on the endorsement of both the SPM and the full GEO-6 report, while others called for the full endorsement. Several delegates stressed the importance of stocktaking past and current GEO work before diving directly to the discussion on the GEO-7. One country suggested further consultation on the proposed language of a long-term strategy on global environmental data.

The discussion continued into the night, including on: the implementation and follow up of UNEA resolutions, proposed by the African Group; the modality of the UNEA-5, proposed by the Secretariat; and the first reading of the draft decision on the trust funds.

Consultations on Ministerial Declaration: In the evening, delegates began deliberations on the draft ministerial declaration, chaired by UNEA-4 President Siim Valmar Kiisler (Estonia). In introductory remarks, Kiisler reminded delegates that the task was to produce an “ambitious and action-oriented” text that must also be realistic enough to achieve consensus. He then gathered comments from Member States on each paragraph.

Early points of contention included whether additions to a paragraph “reaffirming” overarching objectives of sustainable development were acceptable, as it is based on agreed language from Rio+20; a new paragraph on the nexus between poverty and environment, proposed by a regional group; and a suggestion backed by several countries to add “subject to national circumstances” in the chapeau of a paragraph which lists actions to scale up efforts to environmental and health challenges.

Deliberations continued into the night, and are expected to resume on Wednesday based on a new consolidated draft declaration.

In the Breezeways

While negotiators continued their labors with the goal of completing negotiations on the current 30-plus resolutions by Friday night, a glitch in working group discussions reminded attendees of the fragile status of civil society access. Some Major Groups were called upon to comment on draft resolutions during working group negotiations, going against the established rule of procedure. This led to one group of Member States requesting all non-state actors to exit the working groups Tuesday morning.

According to a regular stakeholder in attendance this week, “there has been a shift against acceptance of civil society in recent years” among Member States, but for others the quick resolution of the issue demonstrated UNEP’s competence in stakeholder engagement. Indeed, stakeholders’ usual mode of participation had resumed by the early afternoon, and their enthusiasm isn’t waning: this incident occurred just before an influx of stakeholders is expected Thursday and Friday this week. These days are earmarked for the Global Major Groups and Stakeholders Forum, and the weekend will be packed with civil society-led side events.



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