

UNEA-4 Highlights Tuesday, 12 March 2019

Negotiations continued at the fourth session of the UN Environment Assembly (UNEA-4) in groups established by the Committee of the Whole (COW). Contact Group 1 on sustainable consumption and production (SCP) completed its work Tuesday morning, reaching agreement on a final text. Delegates continued to negotiate in Contact Group 2 on marine litter and single-use plastics, and in Contact Group 3 on the Global Environment Outlook (GEO) process and arrangements for UNEA-5. Working Groups 1 and 2 also continued their discussions on several draft resolutions. The COW convened in afternoon and evening sessions, and delegates also presented national statements in the UNEA-4 plenary.

Committee of the Whole

Contact Group 1: This group focused on the draft resolution on SCP and circular economy. Delegates agreed to withdraw text relating to “environmentally harmful subsidies.”

Some countries expressed concerns about text requesting the International Resources Panel (IRP), which does not have universal membership, to consider the global concept of “a safe operating space,” preferring to refer instead to innovative pathways to achieve SCP. The proponents of the “safe operating space” concept agreed to delete this reference, on the basis that the draft would maintain language requesting IRP to regularly issue its Global Resources Outlook reports. Regarding a reference to sustainable public procurement, a developing country proposed awaiting the outcome of ongoing discussions on this topic at the UN General Assembly, and delegates agreed to this. The group forwarded the draft with no brackets to the COW.

Contact Group 2: This group addressed marine plastic litter and single-use plastics. On marine litter, the group agreed to a paragraph on the need for awareness raising and another calling for prioritizing a whole lifecycle approach and resource efficiency, building on appropriate existing initiatives and instruments, and supported and grounded in science, international cooperation and multi-stakeholder engagement. Delegates took stock of the position of the group with regard to whether it should call for creating an intergovernmental body, such as an open-ended working group, to consider next steps. Apart from one developed country and one developing country, all delegations that intervened indicated a preference for establishing such a body.

On single-use plastics, the two parties conducting bilateral discussions on the two outstanding articles reported no agreement on whether the resolution should call for a phase-out or reduction of such plastics. Each proposed an alternative formulation on the first paragraph: one alternative invites Member States to address the challenge of plastic debris by promoting solid waste management and innovation; the other urges all Member States

to take actions to address single-use plastics by identifying and developing environmentally-friendly alternative and action including, but not limited to, significantly reducing single-use plastic products by 2030. Delegations indicated which alternative they could support and suggested possible modifications, but no clear consensus emerged.

Contact Group 3: The group addressed the UNEP Programme of Work (POW) and budget, the GEO process, and arrangements toward UNEA-5.

On the POW and budget, delegates agreed to express concern over projects and partnerships “which potentially negatively affect UNEP’s reputation and distract from its core mandates as contained in the POW” and requested the Executive Director to utilize existing governing structures and processes to address these concerns. The clean text was forwarded to the COW.

On GEO, they discussed and agreed on terms of reference for a steering committee to guide the future GEO process, including provisions for nominations of regionally representative advisors and experts to the group. They disagreed over a proposal from a group of developed countries to request UNEP to prepare “a science-policy input” to mark the organization’s 50th anniversary in 2022, with one country expressing concern over what this would entail, and suggesting to move this proposal to the resolution on preparations toward UNEA-5. Two developed countries preferred to “note” rather than “endorse” the GEO-6 report.

On UNEA-5, a group of developing countries requested separating the procedural aspects of this decision from its substantive aspects relating to intersessional arrangements and a proposed review of UNEA processes. Delegates discussed whether to take a decision to convene the fifth meeting of the Open-Ended Committee of Permanent Representatives (OECPR-5) back-to-back with UNEA-5, with one group of developing countries preferring to set the dates in a procedural decision to be adopted at UNEA-4, whereas some others favoured addressing this concern in the intersessional process. A group of developing countries also presented text proposing that the review of UNEA processes be undertaken in the context of the Rio+20 commitment to consolidate UNEP headquarters functions in Nairobi. Several developed country delegates proposed to forward the new proposal for discussions in the COW.

Working Group 1: The group completed negotiations of draft resolutions on sustainable business, and sustainable infrastructure. The AFRICAN GROUP, proponents of the draft resolution on sustainable blue economy, announced “with disappointment” that the draft was withdrawn. Informal discussions took place on food loss.

On sustainable business, the group agreed to refer to “sustainable business, including, but not limited to, green business practices as appropriate.” Delegates agreed to delete language on

promoting “environmental fiscal policies” and a request for UNEP to establish partnerships to promote incubation programs and eco-labeling.

On sustainable infrastructure, delegates revisited the paragraph on means of implementation (MOI), in particular on finance, which some countries had bracketed last Friday. After informal talks, a developing country proposed, as a compromise, to express commitment to the Addis Ababa Action Agenda and stress the importance of continuing to support developing countries and strengthen partnerships to implement this resolution. Delegates agreed to this text.

On chemicals and waste management, a developing country sought to avoid mention of circular economy by referring instead to innovative pathways. On solid waste management, they debated whether to mention circular economy principles in the context of waste management or to identify concrete measures. Some countries favored referring to “removal of hazardous substances from waste before recycling,” and other specific actions for solid waste management. They agreed to cross-reference the usage of “circular economy” to the SCP resolution in both instances.

Working Group 2: The group completed negotiation of the draft resolution on gender equality, and continued discussing innovations on biodiversity and land degradation, and deforestation. Informal discussions took place on geoengineering.

On gender equality, the group agreed to replace a reference to human rights defenders with alternative text, proposed by a developing country, referring to the “promotion and protection of universally recognized human rights and freedoms,” and General Assembly Resolution 72/247 on that topic. Several countries expressed concern that the resolution’s intention had been diluted; in response, a regional group proposed further text referring to “the empowerment of women and the role women play as managers of natural resources and agents of change in safeguarding the environment.” The resolution was agreed and forwarded with no brackets.

On biodiversity and land degradation, text referring to “the coexistence of humans and wildlife” was contentious. One country eventually lifted its reserve on the “coexistence” text on the basis of including a reference to “sustainable economies based on wildlife.” The group worked through and ultimately agreed on issues such as the outcome of the 2018 UN Biodiversity Conference as a first step towards an “ambitious and transformative post-2020 global biodiversity framework,” and climate change as a “major and growing” driver of biodiversity loss. They agreed on the title of the resolution and to include previously agreed language on sand and dust storms. Two paragraphs referring to the UN Convention to Combat Desertification remained contentious.

On deforestation, the group reviewed a revised version of the text that drew on the General Assembly resolution proclaiming 2021-2030 the United Nations Decade on Ecosystem Restoration. A developing country bracketed the entire text, suggesting it did not reflect the informal discussions that took place, and proposing it should be shorter and “more positive” in tone. Contentious points included: a reference to SDG target 15.2 on sustainable forest management, which some considered “too specific;” a paragraph on strengthening international cooperation; and references to “the drivers of deforestation” and the Ministerial Katowice Declaration on Forests for the Climate.

UNEA-4 Plenary

In an afternoon plenary, UNEA President Siim Kiisler (Estonia) welcomed all delegates and invited national statements, also advising delegates to provide statements in writing to be uploaded to the UNEA-4 website.

Many speakers paid tribute to the victims of the Ethiopian Airlines crash on Sunday. Speakers presented their national actions toward SCP, including, for example, initiatives on water resource management, sustainable forest management, and clean energy. Besides Member States, several representatives of Major Groups and other UN agencies also took the floor. David R. Boyd, UN Special Rapporteur on human rights and the environment, stated that the protection of the environment enables the fulfillment of many human rights, and vice versa.

Committee of the Whole

The COW convened in the afternoon, and Chair Fernando Coimbra invited the chairs of the two working groups and three contact groups to report on progress. Five draft resolutions were reported as agreed: innovative pathways to achieve SCP (UNEP/EA.4/L.2); sustainable infrastructure (UNEP/EA.4/L.6); environmentally sound management of waste (UNEP/EA.4/L.8); sound management of chemicals and waste (UNEP/EA.4/L.9); and promoting gender equality, and the human rights and empowerment of women and girls in environmental governance (UNEP/EA.4/L.21). The draft decision on the programme of work and budget for 2021-2022 (UNEP/EA.4/L.28) was also reported agreed. Delegates agreed to forward all these texts to the plenary.

Coimbra consulted with the group co-chairs on the way forward, and all supported continuing with negotiations in small groups rather than in plenary. Discussions continued in the afternoon.

The COW reconvened in an 8:00 pm plenary and Coimbra invited the co-chairs of two working groups and two contact groups to report progress made on the nine pending draft resolutions and decisions. One resolution, on sustainable business (UNEP/EA.4/L.5), was agreed to be forwarded to the plenary. Coimbra then requested delegates and co-chairs propose compromise text by midnight, or at the very latest 9:30 am on Wednesday, to be considered by the COW on Wednesday morning. The schedule for further group negotiations was announced, and Coimbra closed the COW Plenary at 21:09. Discussions continued late into the night.

In the Breezeways

During the OECP, talks on SCP were stymied by fundamental differences on what each country considers as a “pathway,” with many complaining that concepts such as resource efficiency, circular economy, sustainable materials management and 3Rs (Reuse, Reduce, Recycle) did not necessarily have agreed definitions. Collective efforts in the small group negotiations had first focused on agreeing on the “philosophical understanding” of pathways to achieving SCP. “That was a good call by the co-chairs,” said one observer.

After many hours of informal talks and bilateral meetings, delegates began to feel that common ground on the concepts was “not too far.” Finally, with a nod to the theme of UNEA-4, they agreed to refer to SCP as an overarching goal, with many possible sustainable economic models being “innovative pathways” toward this goal.

“We can live with this text,” was the often-heard refrain today. The agreement announced this morning on the draft resolution on “Innovative Pathways to Achieve SCP” broke a logjam in other resolutions that had stalled, bringing on brief jubilation in a meeting that so far has experienced numerous issues.

However, the word “innovative” means various levels of action to different people, and not all were satisfied. “We have so many resolutions like this, and we are already taking many actions on SCP,” said a senior delegate. “Why can’t UNEA-resolutions be more action-oriented and be innovative?”