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GC/GMEF-3 HIGHLIGHTS: WEDNESDAY, 13 FEBRUARY 2002

The Seventh Special Session of the UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF) opened on Wednesday, 13 February 2002, at the Cartagena de Indias Convention Center in Cartagena, Colombia. After opening Plenary addresses by Colombia's President Andrés Pastrana Arango, GC/GMEF President David Anderson and Nobel Peace Prize Laureate Rigoberta Menchú, informal consultations continued under the auspices of the Open-ended Intergovernmental Meeting of Ministers or Their Representatives (IGM) on International Environmental Governance (IEG). Delegates met in the afternoon in parallel sessions of the GC/GMEF to consider the IEG report and in its Committee of the Whole (COW) to review implementation of the decisions of the 21st GC/GMEF.

OPENING PLENARY

GC President David Anderson opened the GC 7th Special Session and 3rd GMEF, and stated that the shortcomings in environmental governance were a fundamental reason for gaps between goals identified at and results achieved since UNCED, and stressed strengthening UNEP in the new governance context in the framework of sustainable development strategies. Rigoberta Menchú, Nobel Peace Prize Laureate, said the architecture constructed at UNCED was a turning point, and that shortcomings in institutional and financial dimensions had left the process at the mercy of political will, which has failed to carry the process to completion. She emphasized cultural diversity and ethical values, security based on justice, and co-responsibility and broad mobilization of social forces.

UNEP Deputy Executive Director Shafqat Kakakhel delivered a message from UN Secretary-General Kofi Annan. Annan emphasized: the GMEF's key role in the lead-up to Johannesburg; opening deliberations to civil society and the private sector; and ensuring a stable financial footing for UNEP. UNEP Executive Director, Klaus Töpfer recalled the development of the GMEF; reviewed Colombia's record on the environment and urged the GMEF to be ambitious in order to stimulate UNEP's service to the global community.

Inaugurating the session, Colombia's President, Andrés Pastrana Arango, *inter alia*, elaborated on Colombia's environment initiatives, and described drug trafficking as the worst cause of environmental degradation.

ORGANIZATIONAL MATTERS: GC President Anderson then opened the GC/GMEF Plenary, and delegates considered and adopted the provisional and annotated agenda (UNEP/GCSS.VII/1 and Add.1). Delegates also accepted Bureau proposals of Tupuk Sutrisno (Indonesia) as Chair of the COW, and Juan Mayr (Colombia) as Chair of the Ministerial drafting group to draft a communiqué for transmission to the WSSD and its preparatory process.

COMMITTEE OF THE WHOLE

Chair Sutrisno invited nominations, and delegates elected by acclamation, Franklin McDonald (Jamaica) as Rapporteur. UNEP's Shafqat Kakakhel presented issues for consideration by the COW as contained in the report on the implementation of decisions adopted at the 21st Session of the GC/GMEF (UNEP/GCSS.VII/4), and the respective draft decisions (UNEP/GCSS.VII/L.1). He also presented supplementary documents.

CHEMICALS MANAGEMENT: Daniel Biau, UN HABITAT, outlined the organization's partnership with UNEP on this issue, and supported the need to reflect urbanization and good governance in the WSSD agenda. Louise Fresco, FOOD AND AGRICULTURE ORGANIZATION, also reported on a partnership with UNEP and noted factors that enhance inter-agency cooperation and the need to link chemicals to development assistance. Henrique Cavalcanti, INTERNATIONAL FORUM ON CHEMICAL SAFETY (IFCS), supported the proposed strategic approach.

During the discussion, the EU supported the adoption by the WSSD of a proposed strategic approach, and elaborated additional issues for consideration, including stakeholder involvement. NORWAY emphasized transparency in developing the strategy. CANADA said the strategy should recognize priorities identified by IFCS and encouraged UNEP to solicit further information. CHINA, with KENYA, the RUSSIAN FEDERATION and SENEGAL, called for capacity building, particularly technology transfer, with SENEGAL also stressing the establishment of national focal points. The WORLD WILDLIFE FUND called for further analysis of chemical impacts on humans and nature. Participants agreed to a Chair's proposal to set up an open-ended working group to draft a decision.

GUIDELINES ON COMPLIANCE AND ENFORCEMENT OF MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAs): Delegations, including POLAND, CANADA and DENMARK supported the guidelines and corresponding draft decision. CHINA, INDIA, JAPAN, PAKISTAN and ROMANIA stressed the voluntary nature of the guidelines. The EU suggested tasking UNEP to supervise the implementation of the guidelines and report through an annual report, and supported by SENEGAL, the GAMBIA, KENYA and UGANDA, stressed capacity building for developing countries. While NORWAY supported UNEP's involvement in implementation, and JAPAN emphasized non-duplication of efforts, NEW ZEALAND and AUSTRALIA opposed implementation by UNEP, including proposed extra-budgetary funding, stating that capacity building should be conducted by the respective MEAs. SWITZERLAND called for a review of the guidelines' use in two years.

ENHANCING CIVIL SOCIETY ENGAGEMENT: Delegates requested a statement from the Civil Society Forum held 12-13 February in Cartagena. CANADA, supported by POLAND, suggested

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broadening the range of civil society, emphasizing educators and Indigenous Peoples. JAPAN, with the RUSSIAN FEDERATION, said civil society's participation in UNEP's activities should not affect its nature as an intergovernmental body. The US stressed the civil society's information dissemination role and others opposed a proposal to set up a forum of stakeholder representatives.

IGM/IEG

The two working groups established Tuesday were scheduled to meet on Wednesday. The Group considering GMEF membership and UNEP financing did not meet. The Group working on improved coordination and effectiveness of MEAs, capacity building and future perspective convened briefly in the afternoon to discuss a revised Chair's text. The Group focused on: synergies and linkages on MEAs, debating reference to biodiversity-related conventions; and areas that could benefit from a coordinated approach to MEAs. However, no agreement was reached.

The Finance contact group reconvened in the morning to consider text prepared by the Chair John Ashe (Antigua and Barbuda). On contributions to the Environment Fund, some opposed a reference to payments taking account of "differentiated capabilities" as opposed to "differentiated responsibilities." One donor country refused to accept a proposal that donations would be based on levels of national responsibility for environmental degradation. Delegates described the proposed biennial indicative scale of contributions (ISC) and the principles informing such a system as a combination of the assessed and voluntary approaches. Some insisted on using the current UN scale of assessment, while others objected to the principle of no diminution in the current level of contribution from any member State. A paragraph encouraging contributions using the agreed scale was opposed, as it would limit the freedom of States to choose their preferred approach.

Chair Ashe later produced a new draft negotiating text setting out three options: an agreed biennial ISC, with all contributions remaining voluntary; an option encouraging biennial pledges and taking into account the principles of no diminution in the current level of contribution and common but differentiated responsibilities; and an option for an agreed biennial ISC, taking into account, *inter alia*, the UN scale of assessment and other principles.

GLOBAL MINISTERIAL ENVIRONMENT FORUM

President David Anderson convened the GMEF Ministerial Consultation and drew attention to a report on the IEG (UNEP/GCSS.VII/2). Noting that working groups established during the final IEG meeting on Tuesday, 12 February, would deliver outcomes containing a number of brackets, Anderson said ministers would be required to provide political guidance to bring a number of matters to a close. He reported agreement on: the difficulty of effective participation in decision making posed by the proliferation of MEAs; UNEP's status as a global environmental authority; UNEP's funding requirements; the needs of developing countries and countries with economies in transition; and the need for coordination, including at the domestic level.

The IUCN invited ministers to lay the groundwork for a successful WSSD by fulfilling the UNCED promise of burden sharing, prioritizing capacity building, addressing the environment and poverty linkage, and engaging major groups. The Civil Society Forum presented a series of recommendations on UNEP and IEG strengthening, more effective use of the GMEF, and the transformation of UNEP into a stakeholder organization.

IGM/IEG Working Group I Chair Philippe Roche (Switzerland), reported that the absence of an opportunity for a true negotiation in earlier sessions had made work difficult. On the GMEF, he said a large group had submitted late amendments to the draft recommendations resulting in many brackets. IGM/IEG Working Group II Chair Kezimbira Miyingo (Uganda) reported a good level of consensus on a number of issues though brackets remain.

Finance contact group Chair Ashe said the outstanding differences fall into two broad categories: support for strengthening UNEP's Environment Fund, with disagreement on the modalities; and support for

the use of a scale to assess contributions versus voluntary approaches. He said discussion also addressed the applicability of the principle of common but differentiated responsibilities.

Chair Anderson then opened the floor for general comments. Venezuela, for the G-77/CHINA, supported strengthening UNEP in conformity with its mandate, and said any discussion on complementarity among MEAs must take into account COPs' autonomy. Spain, for the EU, called for universal membership for the GMEF, and, regarding implementation, supported fair burden sharing of financing, obligations for a fixed number of years, and a UN assessed rate. Malawi, on behalf of the AFRICAN MINISTERIAL CONFERENCE ON THE ENVIRONMENT, said African ministers needed further consultations among themselves and within the G-77/China on IEG. NORWAY expressed disappointment with lack of progress on financial issues, and supported strengthening the role of science in decision making, and establishing a high commissioner for the environment. NEPAL stressed involvement of the private sector. COTE D'IVOIRE called for a more effective and stable financial base for UNEP. SWEDEN welcomed the establishment of a ministerial contact group to resolve outstanding issues. SENEGAL called for, *inter alia*: a voluntary system of contributions; development of a strategic partnership between UNEP and GEF; and a more coordinated approach among MEAs. CHINA called for strengthened political and financial support for UNEP, increased UN allocation of funds, and contributions by countries based on the principle of common but differentiated responsibility. SAUDI ARABIA opposed the establishment of any new structures. INDIA said a lack of trust was the underlying reason for failure to reach consensus, cautioned that an IEG architecture could compromise the interests of developing countries, and urged confidence building between developing and developed countries.

EGYPT called for the ministerial contact group, suggested by President Anderson, to be open-ended in order to accommodate delegations not represented by ministers. He said the GMEF must fulfill its mandate within General Assembly resolution 53/242. The UN Secretary-General's Special Envoy to the WSSD, Minister Jan Pronk, Netherlands, described the heightened expectations of the WSSD since the attack on the World Trade Center in the US.

President Anderson announced that Ministers Juan Mayr (Colombia) and Michael Meacher (UK) would convene a contact group to progress negotiations on IEG.

IN THE CORRIDORS

Participants continued to speculate on the fortunes of the IEG process, with some placing responsibility squarely on the process – late development of negotiated text – as well as lack of financial commitment by donors with a concomitant unwillingness to commit to action by developing countries and internecine rivalries within the UN at different levels. Many delegates have expressed disappointment with the way the IEG process has progressed. Some participants said the influence of the New York contingent in the process had been underestimated and that the potential for conflict should have been foreseen. However, some seemed encouraged by the proposal of a ministerial-level contact group, believing that ministers will be able to move further toward consensus. One participant responding to comments made about a "hopeless situation" quipped: "90 ministers do not gather in Cartagena" for a hopeless process.

THINGS TO LOOK FOR TODAY

GMEF: The Ministerial Consultation will resume at 10:00 am to continue discussion on IEG and begin discussing proposals to the WSSD. An open-ended ministerial contact group is expected to meet at a time and location TBA to address unresolved issues on IEG.

COW: The Committee will convene from 10:00 am – 1:00 pm and 3:00 – 6:00 pm to continue consideration of the implementation of the decisions adopted at the 21st Session of the GC/GMEF, starting with the issue of civil society. The COW's Open-ended Working Group on chemical management will meet from 9:00 am in Room 5 to draft a decision.