

**OCPR-6 Highlights:
Tuesday, 20 February 2024**

On the second day of the sixth session of the Open-ended Committee of Permanent Representatives (OCPR-6), the mood shifted from excitement to be back in Nairobi to an urgency in advancing text on draft resolutions as swiftly as possible so as not to leave substantive matters to be discussed at UNEA. However, despite the anxiousness to delve into edits on the operative paragraphs, objections forced delegations to start with preambular paragraphs as it is customary in this forum, thus delaying discussions on more substantive issues till the end of the OCPR.

While the topics and issues addressed in the working groups ranged from hazardous pesticides, minerals and metals to political issues related to environmental justice and environmental effects of armed conflict, overarching themes across both working groups was firstly, the need for the OCPR to consider the different multilateral environmental agreements (MEAs) which address the issues tabled in draft resolutions, and secondly, how interconnected issues are from armed conflict, to the triple planetary crisis, and the impacts of these challenges across sectors and populations.

Working Group 1

Cluster A: This cluster was co-facilitated by Yume Yorita (Japan) and Nana Ama Owusua Afriyie Kankam (Ghana). Delegates considered resolutions on: highly hazardous pesticides (HHPs) (L.9), solar radiation modification (SRM) (L.14), sound management of chemicals and waste (L.13), and promoting regional cooperation to improve air quality globally (L.16).

On HHPs, parties discussed unmanaged risks of HHPs and some suggested including language on technical assistance and capacity-building for developing countries. With a strengthened focus on the impact of chemicals on populations within these multilateral forums, there was good support for this draft resolution; however, a number of delegations expressed reluctance about citing statistics in text that have not been substantiated by the OCPR. One delegation also cautioned against grouping of pesticides as HHP without consensus in processes such as the Strategic Approach to Integrated Chemicals Management, which determines pesticides that are considered HHP.

On SRM, delegations were reluctant to discuss the text since many had concerns regarding the lack of science, technological and scientific gap between developed and developing countries with regards to understanding SRM, duplication of work already being conducted under UN Framework Convention on Climate Change (UNFCCC) and Intergovernmental Panel on Climate Change (IPCC), and fear that, if passed, the resolution will possibly signal that SRM technologies are an acceptable practice.

One major group underlined the dangerous nature of SRM, stressing that the risks are much higher than benefits, and called for a complete ban. The Co-facilitators will confer with the Bureau on the possible way forward.

On the sound management of chemicals and waste, delegations debated mentioning insufficiency of means of implementation and referencing the [Summary Analysis of Stakeholders' Views on Priorities for Further Work and Potential Further International Action](#), some were concerned that the document had only been presented as an unedited draft. There were suggestions to incorporate text reflecting the synergistic nature of thematic areas and to reference the Kunming-Montreal Global Biodiversity Framework.

On air quality and air pollution, delegations' views converged on how to best reflect that some air pollutants are also contributing to global warming and how to appropriately reference IPCC work.

Cluster B: This cluster was co-facilitated by Rohit Vadhvana (India) and Gudi Alkemade (Netherlands). Alkemade and Vadhvana started with informing delegates that two resolutions were merged – on sustainable management of cascade systems, and on effective and inclusive solutions to strengthen water policies for sustainable development in the context of climate change, biodiversity loss and pollution. The new merged version (L.24) was discussed in addition to resolutions on land degradation (L.6) and on ocean and seas governance (L.20).

One of the key debates on both the sustainable water management and land degradation resolutions was inclusion of language on Indigenous Peoples and local communities – many parties expressed various views on whether to include each of these groups, with some nuanced suggestions including references to prior informed consent and dependency on resources.

Other suggestions for the water management resolution included linking the text to desertification and degradation in addition to relevant SDGs, climate change, biodiversity loss and pollution, as well as various formulations to better reflect socio-economic factors and commitment to poverty eradication.

On the resolution on land degradation, delegates debated text on degraded land restoration and suggested language to better reflect the importance of synergies between the three Rio Conventions as well as other relevant MEAs.

On the resolution on ocean and seas governance, a debate ensued about whether language from the United Nations Convention on the Law of the Sea should be included, considering that not all UNEA Members are Parties to this Convention. Other delegations maintained that there is merit to retaining references to reports related to the health of the ocean. In light of lack of a clear path forward and willingness to delete text where there was strong support to delete, one delegation reminded the group that this process allows delegates to 'park' text where there is no consensus.

Working Group 2

Cluster D: This cluster was co-facilitated by Felista Rugambwa (Tanzania) and Robert Bunbury (Canada).

Regarding the draft resolution on stepping up efforts to accelerate transitioning domestically, regionally and globally to circular economies (L.18) a number of delegates wanted to include a reference to or a separate provision on the UN General Assembly (UNGA) resolution 77/161 on promoting zero-waste initiatives to advance the 2030 Agenda for Sustainable Development.

Discussion focused on the following paragraph describing the nature of circular economies, with proposed changes and additions including references to: the importance of transitioning to circular economies in which primary resource use is reduced; recognizing that circular economies are economies that use a systemic approach to maintain a circular flow of resources by recovery, retaining or adding to their value; materials that are durable, repairable and functionally compatible; and that the principles of circularity can be applied to all economic sectors. Some delegates asked to delete references to trade aspects and international obligations; while others wanted to replace references to preventing greenhouse gas emissions with managing or removing them. The proponent and other delegations urged keeping the paragraph in its original form noting that large parts are consistent with previous UNEA resolutions.

On the draft resolution on environmental aspects of minerals and metals (L.15), a number of diverging views emerged on the preambular paragraph regarding the inclusion suggested by some delegations to recognize minerals and metals as essential to attain the agreements adopted under the UNFCCC and Convention on Biological Diversity. One of the Co-Facilitators observed that without consensus in the room on the delegations' views on minerals and metals, it is challenging to further address text in this draft resolution.

In the second preambular paragraph on mitigating pollution by mainstreaming biodiversity into key sectors, some asked to refer to minerals as an important sector instead. Delegations further suggested that text referring to opportunities for fostering capacity building in developing countries be considered. Progress on the resolution was paused.

Regarding the draft resolution on environmental assistance and recovery in areas affected by armed conflict (L.3), the proponent was invited to table numerous changes to preambular and operative paragraphs since they had not been uploaded in advance.

A number of other delegations impacted by armed conflict proposed additional provisions, including language from the Rio Declaration on Environment and Development emphasizing principle 23: "the environment and natural resources of people under oppression, domination and occupation shall be protected."

Other additional provisions proposed by countries currently impacted by armed conflict asked to: take note of the critical importance of protecting the environment at all times, especially during armed conflict and of its restoration in the post-conflict period, including from the unintended collateral impacts of human displacement, resulting from armed conflict; recognize that the security and economy threats caused by climate change, biodiversity loss and pollution are linked to the environmental risk caused by armed conflict; and recall the purpose and principles of the UN to maintain international peace and security. A smaller number of delegations expressed reservations regarding these provisions and discussion of the resolution was suspended.

Cluster C: Co-Facilitators Karin Snellman (Sweden) and Alejandro Montero (Chile) introduced the draft resolution on promoting synergistic approaches to addressing the interlinked triple planetary crisis (L.12). A number of developing countries supported each other in requesting deletion of any language related to interlinked crises or their specific drivers though alternate text was also provided specifying plastics pollution as a driver of the pollution crisis. Some emphasized need for maintaining language that notes human health and the environment in preambular text.

There was some discussion on how to incorporate relevant findings from the latest IPCC report as well as the 2019 Global Assessment Report on Biodiversity. Delegates continued text suggestions in this regard linking biodiversity loss, climate change, and pollution, but struggled to agree upon whether to include the Bern Process, which does not enjoy universal membership, and the global framework on chemicals.

On the draft resolution on effective, inclusive and sustainable multilateral action towards climate justice (L.4) the proponent was allowed to make amendments that had not been uploaded electronically in advance. Co-Facilitator Montero invited comments including regarding concerns about the resolution as a whole. A number of developed countries, while stressing their support for climate action, reserved their position on the resolution as a whole, pointing that it might interfere with the work and mandate of UNFCCC with UNEA potentially not being the proper forum for it. They were also concerned by the lack of clarity about the proposed forum on climate justice for vulnerable countries.

Stressing the importance of the matter, many developing countries encouraged discussion of the resolution, although some pointed to the lack of a definition of climate justice. Some indicated that UNEA can maintain a position on any environmental issue without going into specifics for example of what is being done by UNFCCC. Major Groups representatives stressed the importance of climate justice, especially for those disproportionately affected such as women and girls and called for a discussion of the resolution.

Co-Facilitator Montero proposed informal discussion on the matter and invited the proponent to also engage in bilateral discussions with delegations that expressed concerns. He said that this should happen before the next discussions of Cluster C and that the outcomes would be reported there.

In the Breezeways

With no plenary scheduled for the second day of OECPR-6, delegates ramped up the deliberations as substantive progress would need to be shown in plenary on Wednesday morning. Both in-person and virtual participants rolled up their sleeves and descended upon the morning working groups armed with suggestions. The resolutions being considered in the parallel working groups, though on seemingly diverse and separate issues, still maintained a commonality in text deliberations forcing participants to consider whether UNEA has jurisdiction over certain issues or not. In this climate of interlinked issues, cross-sectoral approaches, and an overarching 2030 Agenda which underlines the indispensability of the interconnectedness of the SDGs, it was clear that delegations were trepidatious to draft overly ambitious resolutions for UNEA that would undermine their likelihood to be achieved. This also illustrated a challenge of institutional complexity, which, despite not being foreign to environmental governance fora, is perhaps reaching a dangerous level with its continuous ramifications.