



## **UNEP OECP R-2 HIGHLIGHTS: TUESDAY, 16 FEBRUARY 2016**

Delegates at OECP R-2 began negotiating draft resolution text on Tuesday, meeting in five separate clusters to consider their respective sections of a compilation text dated 15 February 2016, which contained a total of 24 resolutions.

Clusters 1 and 2 met in parallel during the morning, and Clusters 3 and 4 met in parallel during the afternoon. Discussions in Cluster 4 extended into the evening, and Cluster 5 convened in the evening.

### **PREPARATION OF DRAFT RESOLUTIONS/DECISIONS**

#### **CLUSTER 1**

Cluster Chair Pedro Escosteguy Cardoso (Brazil), opened the discussions, noting there were already areas of emerging consensus and that some paragraphs had been agreed to by the CPR. He said that all text agreed at OECP R-2 will be marked accordingly and relayed to UNEA-2.

On investing in human capacity for sustainable development through environmental education and training, delegates agreed to merge this resolution with one on strengthening education for sustainable development, by including an additional preambular paragraph. Countries differed on whether UNEP should “provide” or “promote”, or, as a compromise, “provide and promote” assistance in capacity building for developing countries.

Different countries requested specific mentions of African countries, small island developing States and middle-income countries. Some developing countries proposed referring to the Bali Strategic Plan for Technology Support And Capacity Building, while some developed countries said the Bali Plan is general in nature, and should not be highlighted in relation to the specific issue of environmental education. A large developed country said it would study the technology transfer implications of including this reference.

On the roles of UNEP and UNEA in delivering on the environmental dimension of the 2030 Agenda, several countries expressed support for this resolution. Others cautioned against overstepping UNEA’s mandate, and said the resolution should reflect a better balance of the three dimensions of sustainable development. Delegates agreed to delete a paragraph referring to the UN General Assembly resolution that created UNEA (Resolution A/67/784), on the basis that the paragraph describes UNEA as being open to all UN Member States, Observer States and other stakeholders to participate on issues that affect the state of the environment and global sustainability, whereas the General Assembly resolution does not refer to stakeholder participation. Delegates did not agree on whether to single out

SDG 16 on peace, justice and strong institutions, with some cautioning against creating a hierarchy of SDGs. Discussions will resume on Wednesday afternoon.

#### **CLUSTER 2**

Cluster Chair John Moreti (Botswana) opened the session. Rolph Payet, Executive Secretary, Basel, Rotterdam and Stockholm (BRS) Conventions, gave a briefing on chemicals and waste in the context of the 2030 Agenda, stressing that their sound management is an integral part of SDG implementation. In the discussion, delegates called for UNEP to contribute to the process of developing SDG indicators in collaboration with the Secretariats of the chemicals and waste agreements, and to promote good communication among national and international data collection and environmental agencies.

Delegates conducted a first reading of a draft submitted by Japan and Mongolia on Environmentally Sound Technologies (EST) in relation to waste management. Some suggested consolidating this draft with the EU proposal on sound management of chemicals and waste. Some developing countries called for deleting a reference to the Group of 7’s activities on EST. Developing country delegates did not support insertion of references to “existing” or “available” resources anywhere in the text, citing constraints on potential action.

Delegates also undertook a first reading of the EU proposal. One developed country, opposed by some, requested the deletion of text dealing specifically with any of the chemicals and waste conventions. Some delegations favored the deletion of language requesting the BRS Executive Secretary to explore the possibility of establishing a single joint voluntary trust fund for these conventions, and it was explained that this had been a request from the Conferences of the Parties to the BRS Conventions.

The Chair asked proponents to consolidate their proposals on EST and sound management of chemicals and waste. Discussions will continue on Wednesday afternoon.

#### **CLUSTER 3**

Cluster Chair Corinna Enders (Germany) convened this discussion in the afternoon. Delegates considered draft resolutions addressing: oceans and seas; and marine plastic debris and microplastics. A developing country proposed the two draft resolutions could be merged; Enders said the group should initially work through the separate texts.

On oceans and seas, Member States agreed on a number of changes, including to extend the scope of the proposal to include wetlands, and to introduce more precise language on the patchy progress toward the Aichi Biodiversity Targets. Delegates also agreed to merge text containing references to SDG 14 on oceans. With regard to text welcoming the Paris Climate Agreement as



a crucial step towards limiting climate change-related impacts on oceans and seas, a delegate requested a footnote to highlight that they are not a party to this agreement. Delegates were also divided on a call to UNEP to play a role in contributing to the implementation of the environmental aspects of the 2030 Agenda, with some noting that this was too broad a request, and others stressing the importance of highlighting SDG 14 on oceans, seas and marine resources. In response to a concern from a developing country about a reference to consistent implementation of regional oceans targets, the proponent of the resolution explained that the reference aims for consistency between the Aichi Targets and regional targets on oceans.

Delegates then considered the draft resolution on marine plastic debris and microplastics, proposed by Norway. A developed country delegate proposed that the resolution refer to marine “litter” rather than “debris.” Delegates agreed to a developed country proposal to recognize that much marine pollution results from material transported through freshwater channels. Discussions on a revised draft resolution will continue on Wednesday.

#### CLUSTER 4

In the afternoon, Cluster 4 Chair John Moreti (Botswana) invited delegates to begin consideration of the draft text on sustainable and optimal management of natural capital for sustainable development and poverty eradication.

In the preambular paragraphs, several countries favored replacing “natural capital” with “natural resources,” saying that the former term could imply privileging the economic value of nature. Some also called for removing the reference to “optimal” management. Other issues raised included, *inter alia*, the need to: recognize countries’ sovereign right to utilize their natural resources; promote fair, equitable and sustainable sharing of benefits of natural resources; and facilitate technology transfer and capacity building. Several countries supported a new paragraph on the need to help developing countries and countries with economies in transition to make valuations of their natural capital and wealth; others expressed reservations. Some developing countries preferred to “harness” rather than to “use” natural resources, with one explaining that the term refers to countries’ control as well as use of their natural resources. A group of developed countries proposed inserting references to good governance. Some developing countries requested clarification of the term, and a middle-income country suggested, instead, “responsible and inclusive institutions.” Objections were also raised to the terms “resource endowments” and “industrialization.”

On the operative paragraphs, delegates bracketed most of the text referring to, *inter alia*: measures to combat illegal trade in natural resources and restitution of such resources; illicit financial flows from developing to developed countries and vice versa; transfer of clean technologies; and natural capital valuation and utilization. With regard to improving transparency and accountability in the negotiation of contracts, one developed country proposed partnering with existing initiatives, and inserting a reference to the Extractive Industries Transparency Initiative (EITI) standard in relation to granting mining licenses.

In the evening, the cluster concluded a first reading of the draft resolution on illegal trade in wildlife and wildlife products. Emphasizing that this is a follow-up resolution to UNEA-1 language and related UN General Assembly resolutions, a developed country proposed focusing on implementation. A developing country proposed introducing language on “sustainable utilization” of wildlife. Others suggested highlighting existing legal instruments for managing

international trade in wild fauna and flora, and pointed out that “illicit trafficking of flora and fauna and its products” is the agreed language in such instruments. Several countries opposed proposals for UNEP to provide legal support to Member States to develop legislation and prosecute serious crimes, and to undertake regular assessments of the environmental impacts of illicit wildlife trade. Several other delegates also proposed new preambular and operative paragraphs for consideration.

#### CLUSTER 5

Chair Raza Bashir Tarar (Pakistan) opened the session, and delegates undertook a first reading of a draft resolution on the integration of biodiversity for wellbeing, proposed by Mexico. One developed country proposed deletion of language referencing the fulfillment of the Strategic Plan for Biodiversity 2011-2020 of the Convention on Biological Diversity (CBD), noting that not all countries are party to the Convention.

On a suggestion to replace a reference to “natural wealth” with “natural capital,” Tarar noted that these terms are under consideration in other clusters, and proposed that the terms remain bracketed until this is resolved.

Delegates then considered a draft resolution on enhancing the work of UNEP in facilitating cooperation, collaboration and synergies among biodiversity-related multilateral environmental agreements (MEAs) proposed by Switzerland. Several countries welcomed the draft, while a number expressed concerns that it was premature, citing a need to await outcomes of the biodiversity-related processes, including the first meeting of the CBD Subsidiary Body on Implementation in May 2016.

Delegates differed on how to reflect the nature of the support needed from UNEP to the biodiversity-related MEAs. One country opposed welcoming the results of the UNEP-led project “improving the effectiveness of and cooperation among biodiversity-related conventions and exploring opportunities for further synergies”, saying these were still under evaluation.

One developed country proposed deleting text requesting the Secretariat to provide interoperable data, information, knowledge and tools to allow for synergies among the biodiversity-related MEAs, with the Secretariat clarifying that data tools, including InforMEA and UNEP-Live, exist to perform this task. The text remained bracketed.

Delegates will continue deliberations later in the week.

#### IN THE BREEZEWAYS

As delegates rolled up their sleeves to begin negotiations on the draft resolutions, it quickly became apparent that the OECP is still coming to terms with its new *modus operandi*. Despite preparatory work by the CPR in the intersessional period, progress on the first raft of draft resolutions was painfully slow, especially as delegations made liberal use of the reserve option. One exasperated delegate quipped that in more than 15 years of negotiating experience he had never witnessed a 70-minute debate on the use of just two words.

Allotted session times spilled over into the evening, and discussion of the high-level segment outcome was postponed to later in the week. An observer speculated that the glacial pace of Tuesday would have a knock-on effect on Wednesday’s progress, with the Secretariat needing to process large amounts of new text proposals overnight.

As the Executive Director laid on a reception for visiting ministers and vice-ministers in the evening, one participant joked that serious “lubrication” would be needed to get discussions back on track.

Meanwhile, trapped with a roomful of delegates, a weary cluster Chair observed that, “Like most of you, I did not sign up to spend three hours dealing with one resolution.”