

OECP-3 HIGHLIGHTS: WEDNESDAY, 29 NOVEMBER 2017

The third meeting of the Open-Ended Committee of Permanent Representatives (OECP-3) opened in Nairobi on Wednesday morning. Following opening statements delegates adopted the organization of work and established five contact groups to finalize draft decisions and resolutions that will be forwarded to the third UN Environment Assembly (UNEA-3).

In the afternoon, UNEA-3 President Edgar Gutiérrez-Espeleta provided an update on the status of consultations on the ministerial outcome document. Consideration of draft resolutions and the ministerial outcome began in the morning and continued into the evening.

OPENING PLENARY

WELCOME AND OPENING STATEMENTS: In his opening remarks, Committee of Permanent Representatives (CPR) Vice-Chair Raza Bashir Tarar (Pakistan) noted that the ambitious programme of OECP-3 requires effective use of the limited time available.

Quoting Mahatma Gandhi, UN Environment Executive Director Erik Solheim emphasized that “the difference between what we do and what we are capable of doing is all that needs to be resolved,” and said UNEA’s purpose is to bring together business, politics, and citizens to achieve this aim. He highlighted UNEA-3’s focus on pollution as an opportunity to bring together many SDGs into one, forward-looking agenda.

COLOMBIA, on behalf of the Group of Latin America and the Caribbean (GRULAC), welcomed the 2030 Agenda for Sustainable Development as a starting point for discussions, and called for integration of proposed resolutions with similar content.

MALAWI, on behalf of the African Group, called for capacity building, financial and technical support, and technology transfer in order to effectively implement UNEA-3 outcomes, and noted the need for South-South and triangular cooperation to address pollution and sustainable development.

The EU, supported by Serbia and Ukraine, said UNEA-3 should send a strong and clear signal about the need to address pollution in all its dimensions, and invited support for the proposed draft resolution on environment and health.

ARGENTINA called for: consideration of common but differentiated responsibilities at all times during negotiations; and a concise but targeted ministerial outcome document. He recommended that the Secretariat refrain from using “UN Environment,” rather than “UNEP,” until Member States agree to the change.

KENYA supported calls to integrate some of the proposed resolutions and expressed hope that delegates would iron out contentious issues in order to achieve a negotiated document.

MEXICO highlighted two proposed resolutions on mainstreaming biodiversity to combat pollution and on the effective link between UNEA and the High-Level Political Forum on Sustainable Development (HLPF).

The Arab League welcomed the Executive Director’s efforts to achieve a ministerial outcome document that is “agreeable to all” and highlighted its proposed resolution in the framework of a pollution-free planet.

The Women’s Major Group underscored the vital role of civil society in promoting social and environmental goods, and called for the dismantling of neoliberal policies “which for too long have allowed companies to wreak havoc.”

ADOPTION OF THE MINUTES OF THE 140TH MEETING OF THE COMMITTEE OF PERMANENT REPRESENTATIVES: Vice-Chair Tarar deferred the consideration of this item to the closing plenary to provide delegates time to review the text.

ORGANIZATION OF WORK: Delegates adopted the provisional agenda (UNEP/OECP-3/1) without comment.

PREPARATION OF DRAFT RESOLUTIONS FOR TRANSMISSION TO THE THIRD SESSION OF UNEA: Vice-Chair Tarar introduced the five contact groups and outlined the allocation of draft resolutions and decisions prepared in the intersessional period. Presenting the Chair’s Report (UNEP/OECP-3/4), he informed delegates that CPR Bureau members had considered draft resolutions and decisions in their meeting held from 19-24 September 2017, and noted that parties can withdraw or merge resolutions.

The Contact Group on overall coordination, chaired by CPR Chair John Moreti (Botswana) was allocated the four draft decisions on: provisional agenda, date and venue of UNEA-4; extension of the delivery date for the sixth edition of the Global Environment Outlook report (GEO-6); management of trust funds and earmarked contributions; and improving communication on the environment. The group was also tasked with negotiating the draft resolution on contributions of UNEA to the HLPF.

Contact Group 1, facilitated by Vice-Chair Tarar, was tasked with negotiating five draft resolutions on: marine litter and microplastics; pollution mitigation by mainstreaming biodiversity into key sectors; enhancing the work of UN Environment to promote the development and strengthening of water quality monitoring programmes; clean water for all, leaving no one behind; and accelerating efforts to address water pollution and to protect and restore water-related ecosystems.

Contact Group 2, chaired by Elizabeth Taylor (Colombia) was allocated six draft resolutions on: environment and health; strengthening health and environmental action in Asia and Pacific; eliminating exposure to lead paint; promoting environmentally sound management of used lead; and synchronization of objectives and activities among the governing bodies of the multilateral environmental agreements (MEAs) for the efficient implementation and monitoring of the 2030 Agenda.

Contact Group 3, chaired by Tarja Fernandez (Finland), was assigned two draft resolutions on: pollution prevention and control in areas affected by terrorist operations and armed conflicts; and preventing and reducing air pollution to improve air quality globally.

Contact Group 4, chaired by Marek Garztecki (Poland), was assigned two draft resolutions on: investing in innovative environmental solutions for accelerating implementation of the SDGs; and managing soil pollution to achieve sustainable development.

ADMINISTRATIVE AND BUDGETARY MATTERS:

UN Environment Deputy Executive Director Ibrahim Thiaw introduced the draft decision on the management of trust funds and earmarked contributions. The EU highlighted that dormant trust funds remain significant, and, noting decreasing contributions from Member States, recommended these be closed and reallocated where appropriate.

UPDATE ON THE GEO-6: Introducing this item, Thiaw said the related draft decision seeks to defer publication of the GEO-6 to 2019 in order to ensure its alignment with UNEA-4. He highlighted that, compared to previous editions, GEO-6 will include a stronger focus on emerging issues, and on policy effectiveness and impact.

The US supported the proposal to delay publication of GEO-6, calling for a summary to be made available to policy makers in advance of upcoming Conferences of the Parties (COPs) to the UN Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD). Supporting the US, COLOMBIA emphasized the need to ensure quality and timely publication of the report.

The EU highlighted the importance of maintaining the GEO as a core mandate under UN Environment, adding that it should be a priority under the Environment Fund. He called on the Executive Director to provide written information on the financial challenges related to its finalization, including projections.

Thiaw noted that efforts will be made to ensure that GEO-6 will be published in time for UNEA-4. He proposed providing an analysis of the costs of GEO-6 based on similar budgets within the UN, and added the Secretariat will seek out funds to compensate for the shortfall.

REPORT ON CONSULTATIONS ON THE

MINISTERIAL DECLARATION: UNEA-3 President Gutiérrez-Espeleta highlighted consultations on the UNEA-3 ministerial outcome document had been taking place since early June. Stressing that pollution is “a threat to our own survival,” he expressed hope the document would be endorsed on Friday afternoon.

The EU said the current draft conveys the urgency of pollution challenges and the international community’s commitment to address them.

BUDGET AND PROGRAMME PERFORMANCE, INCLUDING IMPLEMENTATION OF UNEA

RESOLUTIONS: Deputy Executive Director Thiaw reported on this item. On budget, while noting that higher-than-expected earmarked contributions had been received, he said the Environment Fund’s income had been much lower than anticipated, thereby providing less flexibility to respond to emerging issues and urgent needs. Thiaw then provided an overview of 19 progress reports highlighting work undertaken by UN Environment in response to various decisions and resolutions of previous UNEP Governing Council and UNEA sessions.

In the ensuing discussions, NEW ZEALAND expressed strong support for the Small Island Developing States Accelerated Modalities of Action (SAMOA) Pathway and called for UN Environment-led assistance to the Pacific sub-region on data management. Several delegates requested more detailed information on actions taken by UN Environment in relation to delivering the 2030 Agenda. The EU expressed disappointment that voluntary contributions to the Secretariat to support participation of developing countries had not been included in the report on the relationship between UN Environment and MEAs. Responding to a query from JAPAN, the Secretariat noted an expected meeting in March 2018 to prepare assessments on the fourth Programme for the Development and Periodic Review of Environmental Law (Montevideo IV) and begin preparations on the next programme, with a view to consideration of both topics

at UNEA-4.

Delegates also heard a summary of the report on the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm Conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management.

CONTACT GROUPS:

CONTACT GROUP 3: In the morning, the group began consideration of the Iraq-proposed draft resolution on pollution prevention and control in areas affected by conflict. Delegates discussed appropriate language to reference terrorist acts and armed conflicts with several highlighting the value of linking impacts of terrorism and the environment. The group agreed to continue discussions in informal consultations.

Delegates then discussed draft text on air quality, submitted by Canada and the African Group. Many delegates opposed identifying specific tools referencing voluntary commitments, preferring universal best practices. A working group was established to address the challenges in transboundary issues raised.

CONTACT GROUP 2: The group began consideration of its draft resolutions in the afternoon. Delegates agreed to integrate regional considerations into the draft resolution on environment and health. Consideration of the draft text on synchronization of objectives within MEAs was deferred to UNEA-4, with delegates calling on the Secretariat to integrate the text with its progress report on a related UNEA-2 resolution (UNEP/EA.2/Res.18). Some delegates supported keeping a standalone resolution on lead paint, in order to build off the momentum generated by the Global Alliance to Eliminate Lead Paint.

The Group then began discussions on the resolution related to environment and health. Several new paragraphs were introduced, including specific mention of: the health consequences of pollution; antimicrobial agents; integration of health and environment and SDGs; and regional efforts to address environment and health. The paragraph addressing lead specifically was deleted in favor of a specific resolution on the topic.

On the sub-section on climate change, many developing and developed countries opposed a call to delete the word “change” after climate.

The US, Argentina, and the Democratic Republic of the Congo on behalf of the African Group introduced their new, merged draft resolution on eliminating exposure to lead paint and promoting environmentally sound management of used lead acid batteries. Delegates supported working to ensure the text reflects comments made on previous drafts on the topic of lead during the intersessional period, and to commence a paragraph-by-paragraph reading on Thursday evening.

On how to structure Thursday’s negotiations, Member States eventually agreed to dedicate 1.5 hours to the lead resolution; followed by a complete first reading of the environment and health resolution.

CONTACT GROUP 4: Meeting in the evening the group began consideration of the draft resolution on soil pollution, aiming to reach consensus on contentious terminology relating to the use of carbon “pool,” “sink,” or “stock.” Discussions continued into the evening.

IN THE BREEZEWAYS

OECP-3 opened Wednesday morning full of energy. Compared to previous sessions, several “new” elements greeted delegates, including a shorter timeframe to complete the agenda of this “lean and mean” UNEA session. However, one concern surfaced that many had considered closed when a Member State objected to UNEP’s name change to UN Environment, a fresh strategy by Executive Director Solheim to increase UN accessibility. Aware of the mountain of draft decisions and resolutions to get through in only three days, delegates moved quickly to focus their attention on substantive matters.