

OECP-4 Highlights Wednesday, 6 March 2019

On Wednesday, delegates continued to meet in five working groups to negotiate draft resolutions, ahead of the fourth session of the UN Environment Assembly (UNEA-4) in Nairobi, Kenya, next week. Informal consultations on marine litter, gender, geoenvironment, the Global Environment Outlook (GEO) process, sustainable consumption and production (SCP) and the circular economy, and implementation and follow-up of UNEA resolutions also took place during the day. Many delegates worked in small drafting groups through the day to revise text for further discussion.

In the evening, UNEA-4 President Siim Kiisler (Estonia) held a second consultation session on the draft ministerial declaration, and some working groups continued discussions late into the night.

Working groups

Cluster 1: Innovative solutions for environmental challenges and sustainable consumption and production (SCP):

In morning and evening sessions, the group addressed three out of the five resolutions in this cluster: SCP in a circular economy; sustainable infrastructure; and food loss. Resolutions on clean and electric mobility and green business remained heavily bracketed.

In morning negotiations on SCP, the focus was on completing a first reading of preambular paragraphs. Participants differed over whether to emphasize a circular economy approach or a life-cycle approach, with some arguing that the former is a policy concept while the latter is a means; they agreed that both are possible ways to achieve SCP. They refined language on the role of governments, finally agreeing on language acknowledging governments' leadership role in adopting domestic policy measures that help consumers make informed choices. The group debated whether to:

- endorse the target of a zero waste society;
- refer to the effectiveness of "industrial symbiosis," which some consider to be an unclear term;
- recognize the importance of "establishing non-toxic material cycles" by phasing out hazardous substances according to the national capabilities of each Member State; and
- promote "SCP" or "a more circular economy" through sustainable public procurement.

The group reconvened in the evening to negotiate on sustainable infrastructure and to conduct a first reading of a consolidated draft resolution on "promoting innovative solutions for curbing food loss in hot and other climates," merged from previous drafts by the League of Arab States and Sri Lanka.

Cluster 2: Resource efficiency, chemicals and waste: The group convened in the afternoon to finish a first reading of the resolution on sustainable nitrogen management, where agreement was achieved on all but one operative paragraph. They completed first reading of the preambular paragraphs of the resolution on solid waste management challenges. In its evening session, the group sought to complete the first reading of the resolution on chemicals and waste. Two other resolutions – one on marine litter and microplastics, and another on single-use plastics – were discussed in informal groups during the day.

On sustainable nitrogen management, delegates agreed to paragraphs calling on UNEP to: consider options to facilitate better coordination of policies; explore options to better manage the global nitrogen cycle; facilitate training and capacity building; support sharing of information and knowledge; and report on progress at UNEA-6. They disagreed on whether UNEP should facilitate assessments of the multiple benefits of improved nitrogen management.

On solid waste management, delegates differed over whether or not to refer to "considering differing national circumstances." They discussed a proposed phase-out of single-use plastics by 2025, and whether this should refer to all or some single-use plastics. Other contentious issues included:

- possible language on removal of hazardous substances from waste before recycling;
- possible language on reducing landfilling;
- a reference to promoting integrated approaches;
- references to a circular economy; and
- a proposed addition on eliminating environmentally harmful subsidies that artificially lower prices of raw materials and disincentivize recycling.

The co-facilitators tasked amendment proposers to meet informally to hammer out compromises.

Cluster 3: Biodiversity and ecosystems: The group conducted a first reading of the two remaining resolutions in this cluster: sustainable peatlands management to tackle climate change; and sustainable management for global health of mangroves, the latter being a consolidated text from Indonesia and Sri Lanka. In the afternoon, they proceeded with a second reading of resolutions on: protection of the marine environment from land-based activities;

and sustainable coral reefs management. Three other resolutions – on sustainable blue economy, deforestation, and innovation on biodiversity and land degradation – remained with most of their text bracketed.

On peatlands, one country opposed language linking peatland conservation and restoration with climate mitigation and adaptation, and with implementation of the Sustainable Development Goals (SDGs), also arguing that a proposal for UNEP to undertake a global peatland inventory and other actions duplicated work done under the Ramsar Convention on Wetlands of International Importance. A developing country proposed a reference to irresponsible clearing and burning of peatland as a driver for biodiversity loss, land degradation and greenhouse gas emissions, while another objected to mentioning air quality deterioration in this context.

On mangroves, several countries reserved on proposals to implement measures such as co-management plans for at least 50% of privately-owned mangroves, restoration of degraded mangroves, and establishment of an *ad hoc* open-ended working group that would develop payment for ecosystem services and make recommendations for strengthening the legal framework for mangrove conservation.

On the protection of the marine environment from land-based activities, delegates discussed language referring to the roles of “member states and other stakeholders,” and references to the “activities of prevention, control, mitigation and supervision” of oceans by countries in addressing threats to coastal and marine areas. They also discussed whether and how to reference the Bali Declaration on Protection of the Marine Environment from Land-Based Activities, as well as factors contributing to the progress made by various countries in handling the problems of marine and coastal ecosystems.

On sustainable coral reefs management, delegates agreed on most paragraphs. The few remaining points of contention included whether negative impacts from reef fisheries should be qualified as “potential,” and whether UNEP should develop guidelines and an overview of funding on coral restoration.

Cluster 4: Environmental governance: The group conducted a second reading of two of the five resolutions in this cluster: promotion of gender equality and the human rights and empowerment of women and girls in environmental governance; and mineral resources governance.

On gender, several countries and one regional group expressed concern that the scope of the resolution goes beyond addressing the nexus between women and the environment, and brings sensitive issues belonging to the human rights agenda to UNEP. Issues of contention included references to the right to a healthy environment, which six parties objected to on the basis that it has no legal precedent; references to “women environmental human rights defenders”; and a paragraph on partnerships with other UN bodies, such as the Office of the UN High Commissioner for Human Rights (OHCHR).

On mineral resources, delegates debated, among other issues, whether language on “clean technologies” should be replaced with “low-carbon emission technologies.” They discussed the degree to which the resolution should take into account various UNEP reports, with several delegations requiring clarification on whether, for example, these had been publicly released or commissioned by UNEA.

Delegates met in informal consultations during the day to address differences over the gender draft, and to attempt progress on the geoengineering resolution.

Cluster 5 on UNEP Programme of Work and related issues: The group convened in the evening to conduct a first reading of the two draft decisions on the modality of UNEA-5 and the management of trust funds, and a second reading of two resolutions on the adoption of the implementation plan “Towards a Pollution-free Planet,” and on the new Programme of Work (POW) and Budget for 2020-21. During the day, the group informally discussed two other resolutions on the implementation and follow up of UNEA resolutions, and future GEO reports.

On the modality of UNEA-5, delegates debated whether to refer to the roles of UNEP Governing Bodies in providing oversight and guidance for aligning UNEP’s POW and budget to reform of the UN development system, with one developing country emphasizing that the resolution should focus solely on procedural issues.

Consultation on the Ministerial Declaration

In the evening, delegates discussed a revised draft of the Ministerial Declaration, which responded to concerns raised in Tuesday’s consultation.

Early comments focused on how to achieve a balance of emphasis on the two elements of the UNEA-4 theme, innovative solutions and SCP.

Some developing countries stressed that the language of the Declaration should allow for differences in national circumstances. Delegates discussed concerns over language referring to “ensuring the access to and use of” environmental data, with many preferring to consider “promoting the use and sharing” of environmental data as a more proactive formulation.

Other requests were to refer to “environmentally-related health challenges” rather than “environmental and health challenges,” and to include mention of indigenous and local communities in a list of different types of stakeholders.

A developing country highlighted that a reference to sustainable food systems should refer to functions other than food security, noting that agricultural practices have other purposes as well, such as regulation of climate change impacts.

Discussions continued late into the night.

In the Breezeways

The tempo stepped up on Wednesday as negotiators found themselves torn between parallel informal meetings set up to try and break deadlocks on multiple sticking points. As a strategy, delegates agreed it was pragmatic to take some focused discussion outside the larger working groups, given the pressure to produce clean text by Friday. However, several complained about the proliferation of informals, as previously unscheduled meetings popped up on the electronic boards around the venue, and even the larger delegations struggled with dividing their attention across so many different meetings.

As working groups convened late into the night, participants labored under increased pressure as they sought to clean up the proliferation of brackets and overlapping textual revisions. “We can’t include everything in just one paragraph,” despaired one delegate. “If we continue this way we’ll never finish. Right now I can’t recognize my own resolution.”