

**UNEA-6 Highlights:
Tuesday, 27 February 2024**

On the second day of the sixth session of the UN Environment Assembly (UNEA-6), delegates experienced small victories forwarding for adoption draft resolutions on the sugar cane industry and the instrument for the establishment of the restructured Global Environment Facility (GEF) in addition to the draft decisions on trust funds and UNEA-7 date and venue. For other resolutions, such as the draft resolutions on sand and dust storms, and synergies, delegates began eyeing the finish line, although the finish line for the draft resolutions on armed conflict and solar radiation modification began to feel like it was moving from the realm of the achievable. In the late evening plenary of the Committee Of the Whole (COW), Chair Norbert Kurilla (Slovakia) identified ways forward for delegates.

Contact Groups

Contact Group I: On the chemicals and waste resolution, some delegates had reservations about requesting UNEP to seek “cooperation” between the Global Framework on Chemicals (GFC) Fund and the Special Programme as this created an unrealistic expectation from the organization. Two delegations did not accept either options on text regarding the terms of reference of the Special Programme, and this was referred to informal discussions.

Negotiations regarding the actions urged in the report entitled [*An Assessment Report on Issues of Concern: Chemicals and Waste Issues Posing Risks to Human Health and the Environment*](#) stalled with delegations split on whether Member States and the UN bodies should “take further action” or “consider” the issues discussed in the report. Several other paragraphs remained bracketed, and Co-Chair Yorita urged delegations to consult informally.

In negotiations on the sand and dust storms resolution, fewer brackets remained unresolved. The complex outstanding points centered on: whether to include or delete a reference to “developing” and “developed” countries in operative paragraphs on mobilizing technical and financial support; and adding or deleting “integrated” approaches to practical interventions to combat sand and dust storms. Reference to the “Loss and Damage Fund” was changed to “the most recently established Fund” as the name has yet to be finalized by Parties to the UN Framework Convention on Climate Change (UNFCCC).

In the afternoon, Contact Group 1 continued negotiations on Cluster B, reopening the draft resolution on strengthening international efforts to combat desertification, halt land degradation, restore degraded lands and increase ecosystem and community drought resilience.

In the second operative paragraph, one delegation proposed, and others opposed including “in coherence with other related policies and strategies” regarding refining voluntary land degradation neutrality targets. Suggestions about adding “enhance international cooperation, including,” at the beginning of the sentence, and addition of “through North-South”, and “South-South resources” remain unresolved.

Regarding insertion or deletion of the terms “transformative” and “from all sources” of financing opportunities, delegations did

agree, and the text remained bracketed. Two delegations proposed a combination of the two sub-paragraphs, which was accepted by most with only the two brackets remaining.

Significant effort was expended on a paragraph with references to other UN bodies, stakeholders, country categorizations as well as how Indigenous Peoples and traditional knowledge is formulated.

On ocean and seas governance, many discussions revolved around the language already negotiated in other fora, in particular the Sustainable Development Goals (SDGs) and at the UN Ocean Conference. Some delegates warned against pulling text from other instruments without context and suggested that each cross-reference be carefully reviewed. A few delegations wanted to add “in accordance with national regulations and legislation” in a paragraph on the UN Biodiversity of Areas Beyond National Jurisdiction Treaty (BBNJ) ratification, several others reserved. Some delegations mentioned “accession” as an important way for countries to become parties to BBNJ in addition to signature and ratification, while others said it is too early for accession since the treaty is not yet in force and hence should be removed. A Major Group cautioned against weakened language in this important draft resolution, congratulated Palau and Chile for ratifying BBNJ, and urged other countries to follow suit to allow swift entry into force. Delegates also considered how to make recommendations to UNEP on activities related to ocean and seas governance that are within its mandate.

Contact Group II: Cluster C was co-chaired by Karin Snellman (Sweden) and Alejandro Montero (Chile). In the morning, Co-Chair Snellman explained that the proponent of the draft resolution on promoting synergistic approaches had produced a non-paper which had been subject to informal discussions on the evening of Monday, 26 February. She recommended, and delegates agreed, that the contact group discussions proceed on the basis of the resulting non-paper where all the operative paragraphs and the first two preambular ones had received a first reading. Regarding the remaining preambular paragraphs, delegates further worked on streamlining the text by flagging possible deletions of references to specific multilateral environmental agreements (MEAs) in a number of provisions and generally referring to MEAs. While some delegations had previously reserved on the term synergies, there was indication of a possible compromise to refer to synergies, cooperation, or collaboration. They further debated whether they should welcome the adoption of the Convention on Biological Diversity (CBD) Conference of the Parties COP Decision 15/4 on the Kunming-Montreal Global Biodiversity Framework and, additionally, indicate that it falls under the CBD. Delegates completed the first reading of the remaining preambular paragraphs and Co-Chair Snellman indicated that it forms a good basis for further discussions on remaining issues.

Regarding the draft resolution on MEAs, some delegations expressed concern about duplication of work already undertaken by MEAs. They stressed that there is a risk of overreaching in UNEA’s mandate to work with MEAs on MEA governing bodies decisions that must be implemented and adopted at the national level. Similarly, there was some reluctance to introduce language in one operative paragraph that can potentially pre-judge which implementing agency Member States should work with for

reporting processes of MEAs at the national level in the case of capacity-building support.

Cluster D was co-chaired by Robert Bunbury (Canada) and Felista Rugambwa (Tanzania). In the afternoon delegates considered the draft resolution on behavioral changes towards sustainable lifestyles. Delegates agreed to start with operative paragraphs and to work on the basis of a non-paper containing streamlined text proposed by the co-chairs, which had been subject to informal discussions on Saturday, 24 February. Delegates considered all operative paragraphs: a call to foster public and private collaboration, where some asked, in a number of instances, to delete the reference to creating the necessary evidence-based enabling conditions; an invitation to promote cooperation in sharing knowledge where debate centered around whether this should include technologies; requests to UNEP that were mostly welcomed; and an additional paragraph derived from the previous resolution on the topic proposing regional dialogues to discuss sustainable lifestyle practices, in the context of ecocentric approaches, of individuals and communities including that of Indigenous Peoples and local communities for living in harmony with Nature or Mother Earth, as recognized by some countries and regions, which attracted broad support. Co-Chair Bunbury encouraged ongoing informal consultations to finalize the operative text.

Delegates considered the draft resolution on circular economies, with the proponent informing that their non-paper containing streamlined text had been informally discussed on Monday and that they had since informally consulted further streamlining the text, deleting nine paragraphs and shortening all others. Co-Chair Bunbury proposed, and delegates agreed, to proceed on the basis of the text that had been subject to informal consultations on Monday, 26 February, and invited the proponent to table streamlined operative paragraphs that had been discussed since. This included: a revised invitation to Member States to update relevant national plans and actions, which attracted proposals for additions and deletions; a request to UNEP to support awareness raising on implementation of circular economy approaches, which was welcomed, and proposals to delete other operative paragraphs.

Co-Chair Rugambwa opened discussion on the draft resolution on armed conflict. She proposed, and delegates agreed to work on the basis of the L document from OECPR-6 and incorporate streamlined text from the non-paper developed on Sunday, 25 February. Delegates expressed frustration at a number of points of disagreement and clarification on text that has already been extensively debated the week prior. Some delegates and the Secretariat explained that the OECPR already considered whether “international armed conflict” or “armed conflict” is more appropriate to use, and further, beseeched one opposing delegation that reference to UNEA resolution 3/1 in operational paragraph 3 should include some language to contextualize why it is being referred to. With little progress made on the operational paragraphs considered at this session, the Co-Chair concluded discussions for the day.

In Cluster E, co-chaired by Tobias Ogwena (Kenya), delegates first focused on the draft decision on dates and provisional agenda for UNEA-7 and OECPR-7. Discussion mainly revolved around the process of developing a draft programme of work for 2026-2027 and medium-term strategy for 2026-2029 to present for adoption at UNEA-7. Delegates debated language to ensure that all views expressed by Member States during consultations are accommodated in a way that does not stall UNEP’s work in case of divergence of views. Parties agreed on the wording that would allow UNEP to move forward with those topics included in the programme of work and the medium-term strategy that have general support from Member States. Delegates also agreed to delete the preambular provision recognizing the importance of holding regular biannual UNEA sessions as well as full terms for its Bureau terms as per the UNEA rules of procedure. The contact group forwarded the agreed draft resolution to the COW.

Delegates then also agreed to the draft decision on trust funds (UNEP/OECPR.6/L.1), after one Member State removed the

reservation on the establishment of a general trust fund for climate stability.

Delegates finally also cleared the draft resolution on amendments to the instrument for the establishment of the restructured GEF (L.22), by agreeing to: a preambular provision acknowledging the need for inclusivity, transparency, accountability and responsiveness for the projects and programmes the GEF is financing world wide taking into account eligibility criteria; and an operative provision requesting UNEP in line with its mandate and medium term strategy to continue to consider ways of enhancing UNEP capacity, as a leading global environmental authority in order to continue to strengthen its role as an implementing agency of the GEF.

Committee of the Whole

COW Chair Kurilla invited updates from the co-chairs of the contact groups, who indicated which draft resolutions are closer to conclusion and which are facing more difficulties. The co-chairs shared that agreement had been reached in the contact groups on draft resolutions on the sugar cane industry and the instrument for the establishment of the restructured GEF as well as the draft decisions on trust funds and UNEA-7 dates and venue. The COW agreed to forward them to UNEA-6 for adoption.

Regarding the draft resolutions where no agreement has been reached so far, Chair Kurilla proposed that for those where good progress has been made, more time be given for consideration in contact groups. Regarding decisions where full agreement seems difficult, he recommended entrusting the co-chairs with developing short non-papers focusing on points that had broader support with as few preambular paragraphs as possible. These proposals would then be considered on “more or less a take it or leave it basis,” and made available as soon as possible. THE RUSSIAN FEDERATION raised concerns about recent consultation processes on more than two clusters running in parallel and urged advancing a multilateral agenda.

Reminding delegates that COW has to end by Wednesday evening, Chair Kurilla urged delegates to show the necessary flexibility and empower the co-chairs so that they can fulfill their responsibilities and that their new non-papers be considered with an open mindset. Warning of the looming Wednesday evening deadline, he urged for all to show that the Nairobi spirit of consensus is still alive.

UKRAINE asked to clarify what would happen in the unlikely case that delegations could not reach consensus. The UNEP Legal Advisor outlined the rules of the procedure, including that a vote will be necessary if there is no consensus on a particular resolutions, either by show of hands, or through a roll call. Several Vice-Chairs to UNEA-6, including those of Brazil, Portugal, Kenya and Cameroon, assured delegates and co-chairs of their full support in finding compromises in negotiations and called for flexibility.

In the Breezeways

The torrential downpour on Tuesday afternoon served as a stark reminder for delegates that the time has come to clear the decks, and they should let non-essential paragraphs be washed away or they risk losing entire draft resolutions. The stark deadline of the closing Plenary of the Committee of the Whole being less than 24 hours away started to dawn on negotiators, who scrambled to find common landing ground on essential provisions. Some seasoned delegates pointed out that what seems essential to proponents is often not that critical to others, which indicates where delegations can trade off on things to move texts forward.

By evening, a multitude of draft resolutions were taken up with even more informal sessions spread all over the drenched campus, all with open language, some with cross-cutting issues, making last-minute trade offs even more complex and packages more challenging to tie. Some negotiators were seen offering an increasing number of provisions for deletion to bring key ones and key language into focus. Others were scratching their heads on several resolutions, particularly on climate justice and on solar radiation modification, which present a more significant challenge for proponents who were scrambling to get concessions to keep the drafts on the table.