



## UNEP OECPR HIGHLIGHTS: THURSDAY, 27 MARCH 2014

On Thursday morning, delegates convened in open-ended contact group sessions to address the budget and programme of work (POW) and the science-policy interface (SPI). In the afternoon, contact group discussions on chemicals and waste management took place. In plenary, delegates considered the rules of procedure (RoP) of UNEA and participated in a thematic and programmatic debate on the role of UNEA in the UN system.

### **FACILITATION OF AMENDMENTS TO THE RULES OF PROCEDURE OF UNEA**

CPR Vice-Chair Julia Pataki chaired the discussion. Masa Nagai, UNEP, introduced the report of the Acting Chair of the CPR and the annexed explanatory note. He urged non-resident member states in particular to provide guidance.

Many stressed that amendments to the RoP should be limited. EGYPT underlined the need to “fix only what is broken.” CHINA, supported by SWITZERLAND and CUBA, proposed using the Governing Council RoP as a default where there is no convergence of views for amendments.

BRAZIL noted “important gaps” in the document presented by the Secretariat, and with ARGENTINA and the RUSSIAN FEDERATION, stressed the need to further discuss the mechanisms for participation and accrediting of observers.

The majority stressed the importance of an intersessional process to examine the RoP before UNEA in June. The EU, supported by CUBA, called for setting up a discussion group at this session. Underlining CPR’s mandate to “discuss informally,” EGYPT, supported by BRAZIL, said a contact group should be established at UNEA.

Many supported the draft decision submitted by the African Group on the composition of the UNEA Bureau. CHINA called for gender balance to be taken into account.

On the election of the Bureau, BRAZIL, supported by ARGENTINA, the EU, EGYPT and SWITZERLAND, stressed the importance of ensuring continuity between UNEA sessions and proposed that the election should take effect from the end of each UNEA session.

On the selection of Bureau members, BRAZIL, with the RUSSIAN FEDERATION, said representation should be by country rather than in an individual capacity, with the exception of the Rapporteur.

On voting, CHINA, the EU and BOLIVIA advocated for UNEA decisions to be taken by consensus. Views diverged on options for situations where no consensus is reached. CHINA, supported by BOLIVIA, said a “reinforced majority” should be required. The EU proposed a three-fourths majority vote of the members present and voting.

On stakeholders’ participation, CHINA cautioned against the use of the term “stakeholders” saying it is too generic and could have negative impacts on UNEA’s efficiency and effectiveness. He said those NGOs which have consultative status in ECOSOC should be accepted as observers. BRAZIL opposed this, pointing to more “inspiring and up-to-date” examples of participation, such as that of the HLPF. BOLIVIA called for member states’ participation in reviewing the list of civil society organizations. The EU, with CUBA, stated that amendments could only be considered once the discussions on the stakeholder engagement policy are finalized.

SWITZERLAND, supported by NEW ZEALAND and CHILE, urged that access for stakeholders to UNEA be strengthened. NGOs, on behalf of MAJOR GROUPS, cautioned against regressing on participation.

Summarizing the discussions, Chair Pataki proposed that members be invited to contribute their views by email to enable the CPR to finalize a draft text in time for UNEA.

### **THEMATIC AND PROGRAMMATIC DEBATE: ROLE OF UNEA IN THE UN SYSTEM**

Chair Soemarno invited UNEP Executive Director Achim Steiner to introduce a background note on the role of the UNEA in the UN system (UNEP/CPR/126/4).

Steiner emphasized that Rio+20 bestowed a level of legitimacy upon UNEA far beyond the GC’s oversight functions. He encouraged member states to consider how they can make UNEA a meaningful instrument for driving environmental reform, and to engage their ministers in the process before its June meeting.

Greece, for the EU, stressed that UNEP and UNEA should provide input to the post-2015 process, including on the formulation of SDGs, and should relate with the HLPF. She recommended that the EMG should have the same status as other bodies reporting to the UN system’s Chief Executives Board for Coordination (CEB).

KENYA urged member states to ensure the highest possible representation comes to Nairobi in June.

The US called on the meeting to ensure that UNEA is well prepared to address serious environmental challenges, and to hear divergent opinions.

Susana Rivero Baugham, for Local and Regional Authorities and several other MAJOR GROUPS, proposed that UNEA request the inclusion of UNEP in the drafting group for the Secretary-General’s synthesis report on SDGs and the post-2015 development agenda, and recommend a prominent role for UNEP in implementing that agenda.

Several delegations called for a strong UNEA ministerial declaration. BRAZIL preferred to encourage ministers to engage in a frank exchange. SENEGAL and NORWAY stressed that



the UNEA high-level segment should have an inclusive debate on “burning” issues of the day. GERMANY called for a clear and coherent message from UNEA on the need for integrated approaches to achieve sustainable development and eradicate poverty.

In closing remarks, Steiner called for ideas on how to ensure a dynamic format for the UNEA ministerial segment. He cautioned against making the EMG the sole mechanism for system-wide coordination and urged members not to reinforce the perception that the environmental dimension is “subordinate” to development in the SDGs process, stressing that “UNEA should not have to apologize for a mandate that it has been given clearly at the highest level of decision making.”

### OPEN-ENDED CONTACT GROUPS

**BUDGET AND PROGRAMME OF WORK:** CPR Vice-Chair Bart Ouvry chaired discussions in the morning. Noting that group discussions on Tuesday had already covered the proposed budget and POW for 2014-15, he invited delegates to turn their attention to the documents for the 2016-17 biennium.

Some developed countries said UNEP’s pool of donors should be broadened, and sought further information on specific changes made to the 2014-15 budget that was approved by the last GC meeting.

On environmental governance, some delegates called for more specific reference to strengthening the EMG. Another stressed that UNEP does not oversee the MEAs.

The Secretariat noted the current review of environmental governance being conducted by the UN Joint Inspection Unit as the reason for a lack of specificity with regard to the EMG. He said UNEP is accountable for appropriate management of resources for the MEA secretariats it hosts.

On chemicals and waste, one delegation proposed adjusting the sub-programme target of having countries adopt national policies, to also include implementing policies. Several developing countries expressed concern about interference in domestic affairs.

On the Environment Under Review sub-programme, some countries requested greater emphasis on GEO 6. Concern was expressed about a perceived shift in strategic focus away from UNEP’s global mandate related to the SPI.

The Secretariat reported that contributions in the first two months of the biennium already stood at US\$40 million, including US\$10 million in carry-over funds from the previous year. He expressed optimism regarding further contributions from non-traditional donors to the Environment Fund, including newer Organisation of Economic Cooperation and Development members and Latin American countries. He assured delegates that the Environment Under Review sub-programme represents UNEP’s core function and that the other sub-programmes also contain elements of the SPI.

The Secretariat introduced two draft decisions on the proposed POW and budget for the periods 2014-15 and 2016-17.

The Chair invited delegates to consult informally on the way forward.

**SCIENCE-POLICY INTERFACE:** The open-ended contact group on the SPI, chaired by Idunn Eidheim, Norway, continued deliberations on an omnibus decision Thursday morning. The EU introduced the draft text, which merges three documents: UNEP/EA.1/2/Add.1 on SPI; UNEP/EA.1/4 on state of the environment; and UNEP/EA.1/4/Add.1 on the UNEP-Live platform. He said the draft decision streamlines the preambular and operative paragraphs, while also adding new elements.

On the preambular paragraphs, recalling several UN General Assembly and GC decisions, a delegate sought clarification on a request to the UNEP Executive Director to “identify critical gaps” in promoting a strong SPI. Others noted that this was an explicit GC request and the intent is to draw attention to this

issue, as UNEP has not provided the CPR with a report to date. It was proposed to include this request in the operative paragraphs. Several delegates questioned language calling on UNEP to provide “policy-relevant” environmental assessments, noting this is beyond UNEP’s remit. One delegate suggested referring to “producing environmental assessments which are relevant to decision makers.” Similarly, language touching on the reporting requirements of MEAs, with their own governing bodies, was felt by some to be beyond the mandate of UNEA.

With regard to the SPI section, some developing countries called for explicit references to capacity building and financial support. One delegate sought clarification on the meaning of “communities of practice” and cautioned that there could be possible legal implications in mandating the SPI to “provide tools for integrated approaches and decision making.” Another asked for clarity on whether strengthening the SPI relates only to the existing institutional mechanisms, or if further expansion of the SPI is intended.

On “strengthening sustainable development,” one delegate called for the text to specify the institutional mechanism that will be used to provide expert input to the post-2015 process.

In the evening the group exchanged views on the remaining sections of the draft decision covering assessments (including a process for GEO 6), and UNEP Live.

**CHEMICALS AND WASTE MANAGEMENT:** The open-ended contact group met to discuss US and Swiss draft decisions on chemicals and waste, as well as a new draft decision by the EU.

Questions were raised about the purpose of the group and whether the Swiss draft decision could be a basis for negotiation at this point. Several delegates supported streamlining the decision to make it shorter.

Delegates requested the Secretariat to compile all the US, Swiss and EU draft texts to facilitate further work on Friday.

### IN THE BREEZEWAYS

Discussions intensified on Thursday morning, as plenary was suspended and three separate open-ended groups met in sequence – all of them scheduled to use the same room in turn, as a guarantee that parallel discussions would not take place. The focus, as the CPR Chair said, was to create the conditions for a smooth, final preparation for UNEA – and by this stage, the main complaint heard from delegates was about the messy organization of drafts. “I can see four different versions of the paper I’m looking for on the meeting portal,” groaned one veteran of sustainable development negotiations.

The mood lightened in the afternoon as plenary reconvened, and the day ended with many stirring and visionary statements in a thematic debate on the role of UNEA in the UN system. The proof of the UNEA pudding, noted some delegates, will be in the eating; when it meets in June, ministers must be ready to address serious environmental challenges. Given the range of opinions expressed on the format of the ministerial segment, and the question of whether a ministerial declaration should be one of the outcomes of the meeting, the CPR has its work cut out to finalize the programme. “Stop spending so much time on roles and responsibilities and mandates,” said one delegate. “We need to roll up our sleeves and actually start working.”

**ENB SUMMARY AND ANALYSIS:** The *Earth Negotiations Bulletin* summary and analysis of the OECPR will be available on Monday, 31 March 2014 online at: <http://www.iisd.ca/unep/cpr/cpr126/>