



## UNEP GOVERNING COUNCIL HIGHLIGHTS WEDNESDAY, 5 FEBRUARY 2003

The high-level ministerial segment of the meeting began with delegates discussing the implementation of the outcomes of the World Summit on Sustainable Development (WSSD), focusing on NEPAD in the morning and regional implementation of UNEP's work in the afternoon. The Committee of the Whole (COW) met in the afternoon to resume discussions on policy issues, focusing on international environmental governance. The Drafting Committee reconvened to continue its deliberations, and contact groups resumed their discussions on the budget and chemicals.

### MINISTERIAL CONSULTATIONS

The high-level Ministerial Consultations opened on Wednesday morning with a performance by a Kenyan musical group of their song, "Working Together As One."

**OPENING STATEMENTS:** Governing Council President Ruhakana Rugunda emphasized the opportunity presented by this meeting to determine how UNEP should contribute to implementing the WSSD's outcomes.

UNEP Executive Director Klaus Töpfer highlighted the challenges facing Africa, asserting that "putting poverty to the sword should be our mantra." Observing that the commitments set by the WSSD and other forums are achievable, he urged ministers to take decisions that translate goals into action.

Nitin Desai, UN Under-Secretary-General for Economic and Social Affairs, stressed the need to consider implementation of the WSSD's outcomes at the regional level, and improve stakeholder involvement and coordination within the UN system. He suggested that the CSD could add value by supporting the integration of economic, social and environmental considerations, and highlighted UNEP's crucial role in realizing environmental goals.

Anna Tibaijuka, UN-HABITAT Executive Director, emphasized the cooperative relationship between her organization and UNEP, and stressed the interlinkages between environment and human settlement.

Michael Wamalwa Kijana, Vice-President of Kenya, emphasized the need for good governance, transparency, accountability, and clear policies regarding civil society participation, particularly for youth and women. He highlighted as priorities poverty eradication, biodiversity, benefit sharing, conflicts and terrorism, HIV/AIDS, UNEP funding, and the special needs of Africa.

**IMPLEMENTATION OF WSSD OUTCOMES: NEPAD:** Abdoulaye Wade, President of Senegal, outlined the objectives of NEPAD, stressing the value of its focus on good governance, regionalism, and the private sector. He said NEPAD must promote private sector initiatives in infrastructure, education, health, agriculture, new information and communication technologies, environment, energy, and access to developed countries' markets.

Valli Moosa, South Africa's Minister of Environmental Affairs and Tourism, reflected on the WSSD's high-level commitment to sustainable development and its focus on poverty alleviation. He suggested that CSD-11 could help integrate work on the WSSD, and stressed UNEP's role.

Amara Essy, Secretary-General of the African Union, reported on the launch in 2002 of the African Union – the successor to the Organisation of African Unity – and its links to NEPAD.

The EU supported regional and sub-regional work through existing initiatives such as NEPAD, and reported on EU partnerships on water and energy. UGANDA, speaking on behalf of AMCEN, stressed the need for donor assistance in implementing NEPAD and the WSSD. CHINA said NEPAD's success will depend on the participation of all African countries and on donor countries meeting funding commitments. KENYA identified Africa's foreign debt and the cost of imported fossil fuels as barriers to poverty reduction and sustainable development.

The NETHERLANDS underscored NEPAD's emphasis on African leadership, ownership and initiative, involvement of civil society and private sector participation, and poverty eradication. SENEGAL and NIGERIA emphasized the need for concrete action to implement NEPAD. The CZECH REPUBLIC stressed the importance of good governance, democracy, stability and respect for fundamental human rights, and questioned how strategic environmental assessments and environmental impact assessments would be factored into NEPAD initiatives. ALGERIA outlined desertification problems and the need to protect cultural diversity. POLAND identified NEPAD as a model for other regions. LIBYA said NEPAD solutions must originate from Africa and address regional specificities.

President Wade concluded the session by responding to the issues raised, noting the need to focus on infrastructure development, debt relief, energy generation, and NEPAD funding.

**Regional Implementation of WSSD Outcomes:** In the afternoon, participants in the Ministerial Consultations considered UNEP's role in the regional implementation of the WSSD's outcomes (UNEP/GC.22/8 and Corr.1).

Many speakers highlighted the environmental problems affecting their regions, outlining policy responses and existing partnerships with UNEP. CHINA and SAUDI ARABIA supported strengthening UNEP's activities at regional and sub-regional levels.

On UNEP's regional role, several speakers emphasized capacity building, with the CZECH REPUBLIC urging assistance for information exchange on best practices, and BHUTAN calling for more support for Least Developed Countries (LDCs). MALI said UNEP should assist South-South cooperation. Several delegates highlighted the need for UNEP to adopt a bottom-up approach, and some proposed increased collaboration with other UN agencies and stakeholders. CANADA suggested further work on health-environment linkages. Regarding funding for UNEP's work, BRAZIL supported the channeling of a percentage of the Environment Fund budget to the regional offices.

Speakers also reported on regional-level activities such as the Arab Initiative and the Latin American and Caribbean Initiative for Sustainable Development. GERMANY drew attention to the Environment for Europe Conference to be held in Kiev in May 2003.

### COMMITTEE OF THE WHOLE

**POLICY ISSUES:** The COW convened in the afternoon to discuss issues introduced the previous day by UNEP Deputy Executive Director Shafqat Kakakhel on the GEF, UN-HABITAT, environmental emergencies, and the Montevideo Programme III (UNEP/GC/22/3 & UNEP/GC/22/3/Add.2). JAPAN and SYRIA expressed support for the draft decision on the GEF.



**International Environmental Governance:** Kakakhel invited delegates to consider policy issues relating to international environmental governance, including: establishing universal membership of the Governing Council; strengthening UNEP's scientific base and establishing an IPEC; enhancing the engagement of civil society; strengthening UNEP financing; improving coordination among MEAs; developing an intergovernmental strategic plan for technology support and capacity building; and enhancing coordination across the UN system and the Environmental Management Group (UNEP/GC/22/4, UNEP/GC/22/4/Add.1 & UNEP/GC/22/4/Add.2).

The US, JAPAN, BRAZIL and others opposed further consideration of the IPEC proposal, while NORWAY, CANADA and SOUTH AFRICA said a contact group should be formed. The contact group will report back to the COW on Thursday afternoon.

Regarding the strengthening of UNEP's financing, JAPAN, BRAZIL and others rejected using an indicative scale of contributions, while the EU supported the concept as a means to increase burden sharing and the donor base. CHINA insisted that contributions remain voluntary.

Youth representatives then made statements highlighting the importance of engaging youth in sustainable development initiatives.

#### **DRAFTING COMMITTEE**

The Drafting Committee continued negotiating the CPR draft decisions (UNEP/GC.22/L.1) and addressed new drafts submitted by delegations. Discussion was concluded on the text regarding the World Conservation Monitoring Centre after a compromise was reached on language referring to the focus of the Centre's activities.

The draft on the Brussels Declaration and the Programme of Action for the LDCs (UNEP/GC.22/CRP.2) was also approved. Following objections to the draft on the Asian Brown Cloud, the Committee decided to withdraw the draft decision. A new text on the global assessment of the state of the marine environment was adopted with some amendments.

The text on post-conflict environmental assessments was discussed at length, resulting in several proposed amendments. The text was agreed after a reference was included on the need for the countries concerned to request a post-conflict assessment.

The issue of environmental emergency prevention, preparedness, assessment, response and mitigation was finalized with the addition of a positive reference to activities of the joint Environment Unit of UNEP and the Office for the Coordination of Humanitarian Affairs, and support for refugee-hosting countries in rehabilitating damaged environments and ecosystems.

The Committee debated a draft decision on adaptation to climate change, with a number of developed countries calling for a text that would avoid duplication of issues already covered by the UNFCCC. References to the Kyoto Protocol also proved controversial. The text was taken up by a contact group. A contact group on coral reefs was also formed.

#### **BUDGET CONTACT GROUP**

The budget contact group reconvened on Wednesday morning to consider the revised draft decision on the Environment Fund budgets, the proposed biennial programme and the support budget for 2004-2005. The group adopted text requesting the Executive Director to apply the budget format in the presentation of future biennial budgets, but could not agree to text endorsing the budget format. Several other paragraphs relating to reallocating resources and providing information on the execution of the budget were adopted with minor amendments. Two developing countries opposed text supporting an increase in funding to the UNEP Chemicals Programme during the biennium 2004-2005, arguing that the prioritization of programmatic issues in the decision would create a precedent for the budget group setting the Executive Director's priorities. These countries also opposed including programmatic issues relating to SIDS in the budget decision, and requested that these issues be addressed in specific issue-based decisions.

The group failed to reach consensus on text that would approve the proposed Programme of Work as outlined in the Report of the Executive Director (UNEP/GC.22/6), with one developed country, opposed by other developed countries, preferring text that merely "notes" the Programme of Work. Following lengthy discussions, several variations on the text were proposed, and it remains open for further negotiation. A group of developing countries and

several developed countries proposed that the Executive Director be requested to identify the percentage of the Environment Fund budget from each UNEP Division to be implemented at the regional level. This would be reported to the Eighth Special Session of the Governing Council. Delegates were unable to agree on this proposal.

#### **CHEMICALS CONTACT GROUP**

The chemicals contact group focused on the draft decision on the strategic approach to international chemicals management (SAICM). Delegates clarified SAICM's connection to the WSSD's Plan of Implementation. On the role of the International Forum on Chemical Safety (IFCS) in the development of the SAICM, delegates supported text acknowledging the work of the IFCS. There was disagreement among developed countries regarding the level of substantive guidance for the SAICM, with one proposal advocating clear guidance and others expressing concerns that a prescriptive framework could restrict future actions. Some developed and developing countries highlighted the mandate issued by the Governing Council to address heavy metals. A final decision on the SAICM was delayed due to a failure to agree on a review of progress in meeting the WSSD's target for the sound management of chemicals by 2020 and on the inclusion of heavy metals. Delegates were also unable to reach agreement on the draft decision on mercury assessment.

#### **IN THE CORRIDORS**

In spite of the arrival of ministers for the high-level segment on Wednesday, the attention of many delegates and NGOs was firmly focused on negotiations taking place on the periphery. Some observers of the chemicals contact group discussions noted divisions over the mercury issue. A key dispute is whether to establish a formal mercury programme. Although the US and some others support this, a number of NGOs and other delegations fear that dealing solely with mercury at this stage could delay action on other heavy metals such as lead and cadmium. The dispute over whether to have a legally-binding instrument on mercury also remains unresolved.

Growing frustration was also evident among some delegates emerging from the budget contact group. Several participants are upset at ongoing disputes in the group, especially as some countries that are now "mauling" the proposed Programme of Work were reportedly more or less happy with it in the CPR discussions last year. Disputes over references to the voluntary indicative scale of contributions also remain unresolved.

Meanwhile, negotiators in the Drafting Committee seemed reasonably satisfied with progress, especially after dropping the draft Brown Cloud decision.

#### **THINGS TO LOOK FOR TODAY**

**MINISTERIAL CONSULTATIONS:** The high-level ministerial segment reconvenes at 9:00 am in Conference Room 1. In the morning, discussions will focus on sustainable production and consumption, while in the afternoon talks are expected to turn to environment-poverty linkages and UNEP's contribution to the WSSD's biodiversity-related commitments.

**COMMITTEE OF THE WHOLE:** The COW will reconvene at 3:00 pm in Conference Room 2. It is expected to review the conclusions of the Drafting Committee, and budget and IPEC contact groups.

**DRAFTING COMMITTEE:** The Drafting Committee is expected to resume at 10:00 am in Conference Room 4 to continue its work on the outstanding draft decisions.

**BUDGET CONTACT GROUP:** The contact group will reconvene at 10:00 am in Conference Room 3 to continue negotiating the Programme of Work, chemicals and SIDSs, and regional budgeting.

**CHEMICALS CONTACT GROUP:** Delegates will reconvene at 10:00 am in Room C224 to consider elements of the strategic approach and action on mercury and to finalize decisions regarding the ratification of the Stockholm POPs Convention and Rotterdam Convention.

**IPEC CONTACT GROUP:** This contact group will convene at 9:00 am in Conference Room 5 to discuss the modalities and practicalities of establishing an IPEC.