



Proceedings Regional Consultation in preparation for UN Environment Assembly

The following are the proceedings from agenda item 6 of the Intersessional Meeting of the Forum of Ministers of Environment of Latin America and the Caribbean and Regional Consultation in preparation to the Third United Nations Environment Assembly held in Bogota, Colombia, 11-13 October 2017.

The meeting was attended by 40 delegates from 21 countries of the Latin America and the Caribbean region, including 4 Ministers and 6 Vice Ministers;

This summary constitutes the main input of the meeting to the preparations of the Third session of the United Nations Environment Assembly to be held in Nairobi, Kenya, from 4th to 6th December, 2017.

Agenda Item 6. Regional Dialogue in preparation for the United Nations Environment Assembly

6.1 Reports and discussion on the preparation of the Assembly "Towards a pollution-free planet"

The session began with the intervention of the Minister of the Environment and Energy of Costa Rica, Mr. Edgar Gutiérrez Espeleta, in his capacity as Chair of the United Nations Environment Assembly summarizing the activities carried out in preparation for the Third Assembly, in particular the draft political outcome and the draft resolutions that has been presented by countries and regional groups for the Assembly. He announced that all the documents produced by the bureau are available to the public on the Assembly website.

With regard to the draft Ministerial Declaration, he explained that it has been designed to reach a large audience, simplifying the language and being as direct as possible. Mr. Gutierrez Espeleta reported that the statement was an open document and that all Ministers, especially those from countries that did not have permanent representatives in Nairobi, were cordially invited to provide contributions.

The session continued with the intervention of Ambassador Marta Juarez Ruiz, representing the Group of Latin America and the Caribbean (GRULAC) countries in Nairobi, who, in her intervention passed on the message of GRULAC to the delegates of the intersessional meeting, emphasizing the need for a regional consensus and thus providing clear guidelines to GRULAC in preparation for the Third United Nations Environment Assembly. The full text reads as follows:

"We consider that this is a space of great importance that must be maximized and used to achieve the best results for our region. We emphasize the importance of the follow-up to the decisions adopted at the XX Meeting of Ministers of the Environment, so as to establish the level of progress in compliance, and if necessary, adopt measures to promote what corresponds. We also emphasize

the need to have a space in this intersessional meeting, a regional dialogue in preparation to the Third United Nations Environment Assembly and we welcome all the discussions that take place in the search for regional consensus that will allow us to reach the next UN Environment Assembly as a solid and consistent block. It is our hope that GRULAC-Nairobi will have clear guidelines from this forum in Latin America and the Caribbean for all previous discussions and during UN Environment Assembly, and in particular, on the ministerial declaration being coordinated by Costa Rica. Having a unified position and precise elements of consensus, will facilitate constructive participation as a region in the negotiations that we will have to carry out with other regional groups on contentious issues. Considering the importance of the ministerial declaration, which will also serve as a contribution to the High-level Political Forum on Sustainable Development, GRULAC-Nairobi suggests that, during the development of the present forum, work should be done at a technical level on the contributions that our region can make to the aforementioned ministerial declaration. At the moment, approximately 20 draft resolutions have been submitted to UN Environment by different Member States and it would be advisable to take advantage of this necessity to agree, as far as possible, on those initiatives that we could support as a regional group. Finally, I would like to express, on behalf of GRULAC, our gratitude to the Colombian Government and to the UN Environment for facilitating this meeting, as well as to the Chair of UN Environment Assembly for their continuous, arduous and determined effort”.

Brazil reiterated its firm commitment to and support for the above, and emphasized the importance of having a robust and common declaration with a central theme of sustainable development.

Mexico expressed their support for the presidency of Costa Rica for the forthcoming Third United Nations Environment Assembly and reiterated the country's commitment to the development of a robust and meaningful Ministerial Declaration, which could also guide the work of UN Environment in the region. He also acknowledged GRULAC - Nairobi's great contribution to the work done in Nairobi in preparation for the United Nations Environment Assembly, highlighting the alignment with Mexico's commitments and expectations for the Assembly.

The Minister of Environment of Barbados, co-chair of the UN Environment Assembly, reiterated the support of the Caribbean region to the president and urged delegates to support a strong position for the elaboration of a meaningful and actionable Declaration at the Third United Nations Environment Assembly. A statement should reflect the work that has been done in the region. Barbados noted that the Caribbean is one of the most devastated areas in the world, and a joint effort is needed to ensure sustainability, so that coordinated and transparent work between the countries of Latin America and the Caribbean and a distribution balance of funds are essential.

The Chair, Mr. Gutierrez Espeleta, considered that the presence of all the countries of the region should be ensured and encouraged countries of the region to participate in the Assembly at the highest level, requesting UN Environment to facilitate such participation.

The Secretary of the Governing Bodies of UN Environment, Mr. Jorge Laguna Celis, joined remotely (video) and sent a message of acknowledgement to the United Nations Environment Assembly's Chair, to lead the preparations for the Assembly in a transparent, inclusive manner and identifying concrete actions to combat pollution. In response to the president's concern about financing and participation in the Third Assembly; Mr. Laguna Celis reported that some funding had been secured to allow the participation of the middle-income countries of Latin America and the Caribbean which have no representation in Nairobi. Further information will be provided in the coming weeks, through the Regional Director and Representative, Mr. Leo Heileman. Mr. Laguna Celis also urged delegates to disseminate in their countries the importance of the United Nations Environment Assembly for the environment and to promote engagement and commitments from all citizens.

The Chair, Mr. Gutiérrez Espeleta, reiterated his commitment to allow the participation of all Latin American countries in the Third United Nations Environment Assembly, and expressed his intention to contact the Regional Development Banks to explore financing opportunities.

6.2 Discussion of draft resolutions

The Costa Rican Ambassador to the Committee of Permanent Representatives (CPR) in Nairobi introduced the work carried out under the CPR and listed the sixteen draft resolutions submitted, on substantive issues and 5 decisions dealing with procedural or administrative aspects. Substantive resolutions address different dimensions of pollution, such as air, water, soil, chemicals, as well as cross-cutting issues such as environment and health. Three of them have been presented by countries in the region:

- Contributions of the United Nations Environment Assembly to the High Level Political Forum on Sustainable Development (submitted Mexico)
- Pollution Mitigation by Mainstreaming Biodiversity into Key Sectors (submitted Mexico)
- Clean water for all, Leaving no one behind (submitted jointly by Colombia and Costa Rica)

The Ambassador also reported on the next steps in the negotiation process, which will culminate in the Third meeting of the Open-ended CPR, where texts for adoption in the United Nations Environment Assembly will be prepared. It was pointed out that the purpose is to reduce the total number of resolutions by grouping them.

As general comments, the representative of Nicaragua indicated that they are all interesting resolutions but that they should be properly analyzed by the teams of experts. The Chair clarified that it was not the intention of the present meeting of the Forum to take decisions but to move forward in regional positions leading to the work in Nairobi. Mexico, for its part, reported that they had already put forward a collective Pollution-Free World- resolution, and in view of the high number of proposed resolutions, they suggested that this approach should be withdrawn. Mexico also requested the Secretariat of the United Nations Environment Assembly to ensure the functionality of the online resolution platform where the inputs and changes can be tracked.

Mexico proceeded to present the draft resolutions on the United Nations Environment Assembly's contribution to the High Level Political Forum, as well as the resolution related to mitigating pollution by mainstreaming biodiversity. Mexico appreciated all the contributions received to date and recognized possible pending adjustments to improve the respective texts. For its part, Costa Rica introduced the resolution on clean water for all, presented jointly with Colombia, noting that there are two other resolutions on water resources (submitted by the US and Africa).

The representative of Brazil emphasized the importance of progressing as far as possible in common positions, and with respect to the three decisions presented, indicated that they would not have great difficulty, but suggested some changes, such as avoiding concepts that are not objecting to international consensus, and rather focusing on agreed concepts such as sustainable consumption and production under the 10YFP, instead of circular economy. He also expressed concern about the large number of draft resolutions, emphasizing the need to group projects into major themes. He also suggested moving forward with the suggestions with permanent representatives in Nairobi as soon as possible.

Regarding the draft resolution proposed by Mexico on pollution and biodiversity, Colombia announced that they fully endorse the resolution and expressed interest in being co-sponsors. Brazil also supported the resolution, but expressed some doubts about paragraph 3, suggesting avoiding the use of listings, which are usually problematic in resolutions given the risk of leaving some elements out. They also pointed out some possible improvements in the preambular part and general

structure, as well as some elements that would require more precision. Ecuador also endorsed the resolution, suggesting possible reference to the ratification of the Nagoya Protocol and other related instruments. Mexico expressed its appreciation for the comments and indicated that they would consider all of them and send an updated version.

Regarding the resolution on the United Nations Environment Assembly contributions to the High-Level Political Forum, the concern from Colombia explained that there is a mandate for the Chair of Assembly to forward the Assembly's messages to the High-Level Political Forum, and this will be drafted more clearly in the resolution. Brazil, together with Costa Rica, expressed support for the draft resolution, pointing out some aspects that require greater clarity, as well as the need to consider the fact that the Assembly meets every two years, while the Political Forum is held annually.

Regarding the resolution on clean water for all, Brazil again suggested replacing the concept of circular economy with sustainable consumption and production, and together with Nicaragua and Mexico, suggested referring to the World Water Forum to be held in Brazil in 2018.

The Philippines' resolution regarding the possible synchronization of meetings of the various governing bodies of international conventions was discussed next. Several delegations, including Costa Rica, Brazil, Mexico and Colombia, pointed out that while the need for mechanisms to optimize the use of resources and the presence of ministers is welcomed, they highlighted some practical difficulties of taking this approach into practice. Nor is it considered appropriate to synchronize the objectives and activities, due to the need to respect the sovereignty of the different conventions and their governing bodies. Rather, it was suggested to take into account synergies approaches, such as the cluster of chemicals.

While discussing the other resolutions, Chile reported that they chose to complement Sudan's proposed air quality resolution by adding a number of elements such as short-lived atmospheric pollutants, the Climate and Clean Air Coalition (CCAC) efforts and the Breathelife campaign. Paraguay indicated that they support the proposals of Chile and will join with some ideas to enrich the text.

Minister Gutiérrez also briefly reported on the draft decisions on procedural or administrative, such as the organizational arrangements for the Fourth United Nations Environment Assembly, the administration of trust funds, and the submission of the GEO-6 report. On this last point, Mexico emphasized the interest for the GEO-6 to be available in sufficient time to prepare for the United Nations Environment Assembly.

Finally, the possible draft decisions related to the use of UN Environment instead of the acronym UNEP was discussed. The Secretariat recalled the Note which had been sent to inform the member states of the proposed modality, explaining it to be purely for communicative purposes, in any ways implying changing the name of the United Nations Environment Programme. Minister Gutierrez reported that there are countries that have expressed great disagreement in the way this was carried out, and emphasized the need to prevent this issue from reaching the assembly.

Several delegations, including Mexico, Brazil and Colombia, agreed on the importance of the fact this topic should not affect the substantive discussions of the forthcoming the United Nations Environment Assembly, and recommended that the Executive Director should address this issue with the member states that have expressed the greatest disagreement. Mexico also suggested the possibility of gathering evidence on the possible benefit of the use of this terminology, for example in the context of social networks. Brazil emphasized the importance of preventing this issue becoming something that is not limited to a communication strategy but rather reopening other, more political debates on the issue.

6.3 Discussion of the Draft Political Declaration

The proposed declaration was read in plenary and was well received. The Chair of the United Nations Environment Assembly was congratulated for his leadership and continuous work in reaching to the current text as all recognized the global environmental challenges related to pollution as well as the challenges in adapting the text to national realities. Representatives of the Latin America and the Caribbean agreed that the text is clear and easy to understand by the general public.

Valuable comments were received from Argentina, Barbados, Brazil, Chile, Costa Rica, Cuba, Ecuador, El Salvador, Mexico, Nicaragua, Panama, and Paraguay. These comments referred to the need for this declaration to emphasize international cooperation with clearly defined means of implementation, and also the need to better define the form and function of the Global Coalition and Common Platform referenced in this Declaration. It was also recalled that the first version of the document had concrete objectives and specific dates for its fulfillment, which was subsequently discarded, suggesting that some of the concrete commitments be reconsidered, despite the difficulties. It was suggested to reconsider the wording of numeral 6, because even though its objective is understood, the form can be improved, to avoid wrong interpretations. On numeral 8, a sequence that emphasizes the enthusiasm of the statement was proposed, since starting with commitments on indicators leaves the section emotionless, suggesting that this section begin with a wording that mobilizes the reader, pointing to specific commitments and the importance of solving the problem of pollution.

In particular, Chile requested for one of the observations in the process of discussion to be considered, which was to seek for convergence on global climate change mitigation policies and pollution prevention policies at local level.

Several aspects that shall be taken into consideration were indicated, such as eliminating the term armed conflict from the text, to include references to electromagnetic contamination, to take into account the governance of oceans, to emphasize sustainable consumption and citizenship co-responsibility and in voluntary commitments for caring for the planet. Also, comments were made in relation to having this declaration taken to other multilateral instances such as the United Nations High Level Political Forum.

The Chair of the United Nations Environment Assembly appreciated the comments of the countries and requested for specific comments to be sent via e-mail in the course of one week.

6.4 Discussion of the Regional Statement for the opening the Third Assembly

The Chair informed that inputs had been received regarding the draft elements for the intervention of the GRULAC at the Third United Nations Environment Assembly and invited further comments prior to finalization.

Many interventions referred to the nature of the document under discussions. In this regard, the representative from Chile requested clarification on who would present on behalf of the Forum – be it the new President of the Forum (Argentina) or the chair of GRULAC (Colombia). Similarly, Nicaragua called for clarification on whether the declaration is on behalf of the Intersessional meeting or on behalf of GRULAC because if the declaration is on behalf of GRULAC there would be need for round-robin consensus, which would be very difficult Mexico suggested that a footnote be included in the statement, clarifying that the text was derived from the Intersessional meeting , followed by Brazil, who suggested that the footnote could say: “discussed at the intersessional meeting”.

Costa Rica, as a representative of GRULAC, noted the role of GRULAC in Nairobi, and suggested that the statement be firmer and “endorse” (rather than just “support”) the political declaration (re. para 7). In terms of the Resolutions, she referred to efforts to consolidate Resolutions by GRULAC, through discussions with other delegations, and reinforced the need to reduce the number of Resolutions to be approved by the Third Assembly.

With regard to the reference to UN Environment and UN Environment ‘s work, Nicaragua and Venezuela felt that, while recognizing the work of UN Environment and the Secretariat, it was not important to promote the agenda of UN Environment in the declaration. In terms of the transmission of concerns to the UN Economic and Social Council - ECOSOC, it was felt to be inappropriate for the declaration to include such reference. Also issues of Assembly management should not be included in the declaration, such as submission of Resolutions to UN Environment Assembly.

On the process for consolidation and enrichment of the document, many countries agreed that that new items might need to be included or taken into account in the period preceding the Third Assembly and enquired whether there was leeway in modifying the text prior to the assembly. The delegate from Nicaragua agreed with previous comments from Chile on the need for flexibility which would allow the statement to be updated prior to the Third Assembly, based on current and future events in the region (such as recent hurricanes) and did not support the idea that the Intersessional meeting could take a firm position this far in advance of the Third Assembly. Similarly, Brazil felt that since the draft document was only being read for the first time, that further reviews should be allowed prior to finalization, with some discretion being given to the chair.

On the content of the document, there was a general feeling that the document should be a strong political message, contextualized in the situations of the region, including reference to events such as hurricanes and disasters that devastated counties of the region. He further suggested the inclusion of reference to the upcoming World Water Forum in 2018 in Brazil. He also felt that the declaration should focus more on pollution, as the theme of the Environment Assembly, and the social impacts of pollution should be highlighted. The delegate suggested that the declaration move beyond “reaffirmation” of what is already known and greater reference to the SDGs should be included. In effect, he considered that more work on the document was needed.

Referring to paragraph 6 on pollution, Mexico suggested that the meeting would benefit from data presented by the Secretariat, specific to the region. Nicaragua suggested that reference be made to replenishment of the Green Climate Fund.

In response, the chair felt that the statement should be flexible and serve as a basis for the intervention points (as elements for an intervention). She felt that Colombia, as the chair of GRULAC would be best placed to present the statement.

The chair, in response, felt that specific feedback to United Nations Environment Programme was important to be included in the statement.

He also felt that since the draft declaration was only being read for the first time, that further reviews should be allowed prior to finalization, with some discretion being given to the chair. He further suggested the inclusion of reference to the upcoming World Water Forum in 2018 in Brazil. He also felt that the declaration should focus more on pollution, as the theme of the Environment Assembly, and the social impacts of pollution should be highlighted. The delegate suggested that the declaration move beyond “reaffirmation” of what is already known and greater reference to the SDGs should be included. In effect, he considered that more work on the document was needed.

Venezuela, in making its first intervention, mentioned in respect of the nature of the document, felt that the word “elements” should be strengthened, since the declaration was to be representative of the members of GRULAC. While recognizing the good work of the Secretariat, he felt that a focus on the Secretariat was not necessary in the declaration. He also felt, as did previous speakers, that

the document needed to be strengthened, with greater reference to the needs of humanity and also climate change concerns.

Argentina also considered the need to reflect priorities of the region in the declaration, while agreeing on the nature of the document as GRULAC intervention. He suggested that the revised text integrate all comments and that we seek to achieve consensus.

Cuba insisted that the declaration be made on behalf of GRULAC and that the chair have flexibility in presenting the text at the Third Assembly. Referring to the situation in Cuba, he highlighted the severe impacts of hurricanes, including on the environment, and insisted that the declaration be placed in context. He endorsed many of the suggestions made by previous speakers noting that the document was a work in progress.

Chile referred again to the text of the statement and noted that there was much consensus (e.g. need for flexibility; need to be stronger and more political; and need for context to be included). He suggested shortening the declaration by removing “desires”, “aspirations” etc. He also suggested that the statement focus more on “ways of life”, using as an example the reference to pollution, where more reference could be made to lifestyles, rather than sustainable consumption and production.

Bolivia agreed with previous speakers that this Forum is one regional space for political dialogue, exchange and cooperation, but not the only one, and therefore references should be more precise. He made reference to the United Nations Environment Assembly being “a” global environmental agenda rather than “the” global environmental agenda. In general he supported the text and suggestions made during the previous interventions.

Mexico welcomed the debate on this document of elements for the GRULAC intervention, which reflected ideas from the region to inform the Assembly, and which would be flexible and alive.

Barbados concluded that the statement was an informative document but that it would never be perfect. The Minister suggested that the Forum should be a “marketplace of ideas”, and that the chair would have a role in finalization of the statement and conveying ideas expressed, while allowing (and not excluding) additional inputs prior to the Third United Nations Environment Assembly. He highlighted the recent devastation in the region and the challenges being faced by the region. In this regard, he insisted that space be reserved in the intervention for conveying a sense of the significant devastation suffered by the region and lessons learned during the recent hurricanes and the solidarity of countries in the region in response. He linked the devastation to the theme of the Third Assembly, particularly the issue of waste management. He further reinforced the point made by Chile, about impacts on “way of life”. In conclusion, he urged for a strong, common message be conveyed, by the chair. In this regard, Ecuador emphasized the need to express that the most important challenge that we address as a species is to change the dominant patterns of production and consumption, and to make reference to important concepts and essential elements for any public policy on the environment as access to information, public participation, co-responsibility, transparency and solidarity.

The Chair noted all comments with appreciation and undertook to convey a consolidated version of these elements for the GRULAC intervention in the United Nations Environment Assembly

6.5 Voluntary commitments by Governments, private sector entities and civil society organizations to clean up the planet.

The Chair of the United Nations Environment Assembly introduced the topic of voluntary commitments by relating an example of Costa Rica on single-use plastic bags voluntary ban, which

seems to be working. For example, two major companies had just announced the decision not to use the plastic bags. He expressed the need to share these experiences in order to encourage others.

Commitments from private sectors can be very relevant as the example of the 2 big malls in Costa Rica can also encourage others, and this is exactly what is needed to be communicated in Nairobi. Also, public-private partnerships are important as well as working with the people as also mentioned by Ecuador.

The Regional Director and Representative of the Latin America and the Caribbean Office of UN Environment also forwarded a message from the Deputy Executive Director of UN Environment stating that some 430,000 commitments are being made in the system. He encouraged all participants to reach out to their governments, private sector entities, institutions and the general public and motivate them to express their commitments to combat pollution in order to get all sectors on-board. Mr. Heileman also wanted to emphasize that the private sector as well as the Governments are already doing a lot in terms of reducing environmental impact, but not all is shared publicly.
