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Committee of Permanent Representatives  
Subcommittee Meeting  
Nairobi, 4 December 2023  
10:00 – 13:00 and 15:00 – 18:00 (GMT+3)  
Hybrid meeting  
Conference Room 2 (in person)  
and Microsoft Teams (online)

### **Draft Chair's Summary**

#### **Agenda item 1: Opening of the meeting and adoption of the agenda.**

1. H. E. Mr. Firas Khouri, Chair of the Committee of Permanent Representatives (CPR), Ambassador of Jordan to the Republic of Kenya and Permanent Representative to the United Nations Environment Programme, opened the meeting.
2. The meeting [agenda](#) was adopted.

#### **Agenda item 2: Briefing on the preparations for the Second Session of the Ad Hoc Open-ended Working Group on a Science Policy Panel.**

3. The Secretariat provided a briefing on the preparations for the [Second Session of the Ad Hoc Open-ended Working Group on a Science Policy Panel to contribute further to the sound management of chemicals and waste and to prevent pollution \(OEWG-2\)](#).
4. Delegations that took the floor<sup>1</sup> welcomed the presentation, thanked Jordan and Kenya for their flexibility in the transfer of the hosting arrangements for OEWG-2, and underlined the importance of finalizing the work of the OEWG in 2024 as decided in UNEA resolution 5/8.

#### **Agenda item 3: Briefing on the Global Resources Outlook 2024 report.**

5. The Secretariat provided a [briefing on the Global Resources Outlook 2024 report \(GRO-2024\)](#).
6. Delegations that took the floor<sup>2</sup> welcomed the presentation and provided the following comments in summary:
  - a. Noted with concern the findings in the report that resource demand and intensity have seen rising trends, highlighting the need for greater focus on sustainable consumption and production, and advocated for referring to this issue in the UNEA-6 ministerial declaration.
  - b. Stressed the important linkages between resource use and the implementation of the Sustainable Development Goals
  - c. Underlined the need for differentiated approaches at country level, taking into account diverse country contexts and national jurisdictions.
  - d. Encouraged the creation of synergies between existing and forthcoming assessments and related activities by UNEP as well as by other environmental institutions.
  - e. Requested additional consultations between UNEP's International Resource Panel (IRP) and national scientists on the technical details and databases of the report, and further briefings to

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<sup>1</sup> United States of America, Norway, Kenya.

<sup>2</sup> Colombia, Belgium, European Union, Japan, China, Kenya.

the CPR on the full scientific assessment report.

7. The Secretariat, in response, thanked delegations for their comments and provided the following clarifications:
  - a. Stressed the importance of the integrated approaches applied in the report and that the IRP continues to engage with other intergovernmental scientific assessment processes, and experts at national level.
  - b. Confirmed that differentiated pathways to sustainable resource management based on country context and national circumstances is central to the report and to Panel's work to decouple natural resource use from economic growth.
  - c. Confirmed that the Secretariat of the Panel is undertaking broad outreach for the report, including at UNEA-6.

#### **Agenda item 4: Preparations for the sixth session of the United Nations Environment Assembly.**

8. The Secretariat provided a briefing on the [preparations for the sixth session of the United Nations Environment Assembly](#).
9. Delegations that took the floor<sup>3</sup> welcomed the presentation and provided the following comments in summary:
  - a. Emphasized the importance of inclusive negotiations in preparation for UNEA-6 and of avoiding more than two parallel negotiations.
  - b. Sought clarification on proposed clustering, encouraged early submissions of draft resolutions.
  - c. Requested that consultations and negotiations take place during regular work hours to ensure an inclusive participation of delegations.
  - d. Requested an update on the funding for delegates from developing countries.
  - e. Requested an update about the "MEA Day" and other high-level dialogues.
  - f. Emphasized the importance of stakeholder involvement to ensure a successful UNEA-6.
10. The Secretariat, in response, thanked delegations for their comments and provided the following clarifications:
  - a. Confirmed that the Secretariat will plan for no more than two parallel working groups open-ended meeting of the Committee of Permanent Representatives (OECPR); the five clusters, with two co-facilitators each, will be divided between the working groups.
  - b. Clarified that the proposed clusters are designed to guide and streamline the CPR's work, and adjustments may be done as necessary.
  - c. Invited Member States submitting draft resolutions to appoint focal points that are based in Nairobi.
  - d. Provided additional information on the preparations for the MEAs Day, including on format, panel discussions, and the facilitation of interactive discussions.
  - e. Provided an update on the funding gap for UNEA, including with regard to the funding of delegates, from developing countries, thanked those Member States who had contributed so far, and called on other Member States in a position to do so to help close the funding gap.
  - f. Provided an update on UNEA-6 stakeholder events, including the Youth Environment Assembly, the Global Major Group and Stakeholders Forum, and the Multi-stakeholder Dialogue.

#### **Agenda item 5: Briefing on the UN Secretary General's initiative on Harnessing Critical Energy Transition Minerals for Sustainable Development in Least Developed and Land-Locked Developing Countries Just Transitions in Low Carbon Technologies.**

11. The Secretariat provided a [briefing on the UN Secretary General's initiative on Harnessing Critical Energy Transition Minerals for Sustainable Development in Least Developed and Land-Locked](#)

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<sup>3</sup> Russia Federation, Kenya, United States of America, Argentina, Netherlands (The Kingdom of the), India, Malawi, China, France.

[Developing Countries Just Transitions in Low Carbon Technologies.](#)

12. Delegations that took the floor<sup>4</sup> welcomed the presentation and highlighted the ambition for globally resilient, sustainable, and diverse minerals supply chains, recognizing how the UN framework complements the existing multilateral work on this issue, such as by the International Energy Agency, including the Minerals Security Partnership.
13. In response, the Secretariat thanked delegations for their comments and confirmed that the Secretariat is in contact with the Minerals Security Partnership.

**Agenda item 6: Briefing on the Agreement on Marine Biodiversity of Areas Beyond National Jurisdiction.**

14. The Secretariat provided a [briefing on the Agreement on Marine Biodiversity of Areas Beyond National Jurisdiction](#).
15. Delegations that took the floor<sup>5</sup> welcomed the presentation and provided the following comments in summary:
  - a. Congratulated all UN Member States on the adoption of the Agreement on Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ) and stressed its importance for strengthening multilateralism and international ocean conservation and governance, in line with SDG 14 about “Life below Water”, the Kunming-Montreal Global Biodiversity Framework (GBF), and the legally binding instrument on plastic pollution, including in the marine environment.
  - b. Commended the Division for Ocean Affairs and the Law of the Sea of the UN Office of Legal Affairs (DOALOS) for its work throughout the BBNJ process and in the performance of the secretariat functions in relation to the Agreement until the secretariat to be established thereunder commences its functions.
  - c. Reaffirmed their commitment to work towards ensuring that the BBNJ Agreement enters into force as soon as possible and at the latest before the third UN Ocean Conference in 2025 and urged all States to sign and ratify the Agreement.
  - d. Emphasized that the swift entry into force and effective implementation of the Agreement are of critical importance for the protection of the ocean and the prevention of the loss of marine biological diversity and for strengthening international ocean governance.
  - e. Noted with appreciation the linkages between UNEP Medium-Term Strategy of 2022-2025 and the BBNJ Agreement towards tackling the triple planetary crisis of climate change, biodiversity loss and pollution.
  - f. Requested the Secretariat to elaborate on what UNEP’s envisaged role is for implementing the BBNJ Agreement, and what support it’s providing to Member States, including fund mobilization, and invited close coordination between UNEP and DOALOS in the swift entry into force and implementation of the BBNJ Agreement, including by leveraging its Regional Seas Conventions and Platforms, including for delivery of regional trainings in 2024,
  - g. Noted the importance of building partnerships and synergies with existing MEAs, and other global platforms, regional and sub-regional bodies particularly as relevant to UNEA 6 Theme on “Cooperation of MEAs” with the aim to avoid duplication of efforts and enhance coordination.
16. The Secretariat, in response, thanked delegations for their comments and provided the following responses:
  - a. Stressed the complexity of the BBNJ Agreement, noting that its opening for signature was only the beginning of a very long and challenging process, with many details remaining to be determined at the first CoP.
  - b. Clarified that the first step in this process is to support Member States in their efforts of becoming parties to the BBNJ Agreement, thereby focusing on the delivery of a programme of

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<sup>4</sup> The United Kingdom, Spain.

<sup>5</sup> Philippines, Portugal, Finland, Kenya, France, Netherlands (The Kingdom of the).

- capacity-building and technical assistance activities aimed at promoting a better understanding of the BBNJ Agreement.
- c. Confirmed that multilateral engagement and internal consultations are ongoing to build a coordinated strategy, including through the UN-Oceans Network which UNEP is member of.
  - d. UNEP's expert on BBNJ provided insight to efforts underway since the last CPR on BBNJ in April, including internal coordination with the Law Division (e.g., application of the Montevideo Environmental Law Programme), with the Regional Seas Conventions, biodiversity MEAs and Collaborating Centers including UNEP-WCMC. Currently assessing existing capacity while identifying needs for future programmatic support to assist Member States with implementation. UNEP shared its three-prong approach on BBNJ: (a) information and awareness-raising, (b) legal and institutional capacity-building, including in cooperation with DOALOS, and; (c) technical assistance in implementation including application of area-based management tools, such as MPAs, marine spatial planning etc.

**Agenda item 7: Draft recommendations from the 10<sup>th</sup> annual subcommittee meeting of the Committee of Permanent Representatives.**

17. The Secretariat provided a briefing.
18. The delegations of Colombia and the Netherlands jointly proposed a draft decision outlining some key recommendations emanating from the on [the summary of the 10th annual subcommittee meeting of the Committee of Permanent Representatives](#).
19. Following a discussion in the subcommittee, delegations agreed to submit the following draft resolution for consideration and possible adoption at the 164<sup>th</sup> meeting of the CPR scheduled for 25 January 2024:
  - i. *Endorses* the Chairs Summary of the 10th Annual Subcommittee meeting of the Committee of Permanent Representatives, held in Nairobi 20-24 November 2023, and *requests* the Secretariat to take into account the comments made by Member States, including when preparing for future CPR and subcommittee meetings as well as annual subcommittee meetings.
  - ii. *Requests* the Secretariat to provide the responses in an information document to the questions and comments by Member States during the ASC10 that were not fully addressed by the Secretariat in the course of the session, following notification by Member States of such outstanding questions and comments. (ref: para 65)
  - iii. *Requests* the Secretariat to brief Member States on any intended significant changes to UNEP's organizational structure before the changes are made. (ref: para 27c)
  - iv. *Taking note* of the presentation on UNEP's action to strengthen protection against sexual and any other type of exploitation and abuse and sexual harassment in the workplace, *encourages* the Executive Director to further develop indicators and systems, building on UN system-wide tools and mechanisms, to effectively ensure and monitor that all personnel, implementing partners and beneficiaries are adequately protected against sexual exploitation and abuse, and sexual harassment and to ensure that victims and survivors are put at the center of UNEP's approach. (ref: para 27f)
  - v. *Requests* the Secretariat to prepare, in consultation with the bureau, a strategic scheduling plan of subcommittee and OECPR meetings to allow for effective, inclusive, and participatory consultations and negotiations on draft UNEA resolutions and decisions, to avoid the scheduling of more than two parallel meetings during the OECPR and UNEA, and to make the plan available to Member States as early as possible and before the end of 2023. (ref: para 53)
  - vi. *Encourages* the UNEA-6 Presidency and the CPR Chair to guide the appointed co-facilitators to organize, as appropriate, early consultations with Major Groups and Stakeholders, to collect views and positions on draft resolutions for possible

consideration by Member States, and *encourages* proponents of resolutions to engage with the Major Groups and Stakeholders Facilitating Committee, with the support of the secretariat. (ref: para 54)

- vii. *Reminds* all Members States to proactively revisit their financial support to UNEP *and encourages* contributions at their full share according to their Voluntary Indicative Scale of Contributions (VISIC) to ensure that UNEP can be strengthened and can successfully implement its Programme of Work. (ref: para. 57g)
- viii. *Requests* the Secretariat to continue exploring alternative sources of funding, and analyze and address the barriers of engaging with new funding sources. (ref: para 57l)

**Agenda item 8: Other matters.**

- 20. No other matters were raised.

**Agenda item 9: Closing of the meeting.**

- 21. The meeting closed at 17:00 (GMT+3).