United Nations Environment Programme
21 October 2021

Committee of Permanent Representatives
Subcommittee Meeting
Thursday 14 October 2021
2:00 pm - 5:00 pm
United Nations Office of Nairobi
Hybrid meeting

MEETING SUMMARY

Agenda Item 1: Opening of the meeting and adoption of the agenda.

1. H. E. Mr. Erasmo Roberto Martínez, Vice Chair of the Committee of Permanent Representatives, Ambassador and Permanent Representative of Mexico, opened the meeting.

2. The Vice Chair expressed his appreciation that the meeting was the first fully hybrid meeting, after a very long period of online meetings due to the COVID 19 pandemic, thanked the secretariat for making the necessary arrangements, and expressed hope to be able to continue to meet in-person in the run-up to the resumed session of the 5th Open-Ended Meeting of the Committee of Permanent Representatives and the United Nations Environment Assembly, as well as the special session on UNEP@50.

3. The meeting agenda was adopted.

Agenda Item 2: Presentation and announcement of possible draft resolutions or concept notes by Member States in preparation for the Annual Subcommittee meeting.

4. The Chair of the meeting invited H.E. Mrs. Luisa Fragoso, Chair of the Committee, to provide a briefing on the letter from the UNEA President and the CPR Chair on informal guidance on the submission of resolutions to the resumed session of UNEA-5 that was circulated to Member States. She encouraged Member States to communicate their intentions as early as at the present meeting and to present draft resolutions as soon as possible, preferably at the 8th Annual Subcommittee Committee, and/or by 20 December 2021 at the latest. The CPR Chair further encouraged delegations to show careful consideration before proposing new ground resolutions. Additionally, she invited Member States to prepare a cover note explaining the rationale of the resolutions and looked forward to the support and commitment to make UNEA-5.2 impactful in delivering on its mandate.

5. The Chair emphasized that the resumed UNEA-5 will not be a “normal” session, noting that even if Member States will be able to meet universally in person, the meeting is likely to be held under extraordinary circumstances, namely due to the ongoing COVID-19 restrictions, a high number of political process and initiatives, and a shorter session of only three days instead of five. In addition, UNEA-5.2 will be held back-to-back with the special session on UNEP@50, which will also require significant preparations. To this end, he underlined four key principles for future work, in full accordance with the UNEA rules of procedure and relevant decisions, as follows:

- **To exercise prudence** in initiating possible new initiatives which are not mandated by previous UNEAs;
- **To strive for early announcement and tabling** of draft resolution and decisions - preferably already today or at the 8th Annual Sub-committee meeting;
- **To ensure effective use of the Committee of Permanent Representatives** as preparatory organ to facilitate finalization at the OECPR; and
- **To organize ourselves well**, for example by smart clustering, possible merging of related initiatives, and early identifications of facilitators.

6. Member States welcomed the briefing from the Chair of the CPR and thanked for the opportunity to announce intentions and/or draft resolutions, having provided the following comments on the joint letter and the proposed principles:
   - The representative of the UNEA Presidency underlined that the advice in the letter is of an overarching nature and called upon all Member States to take this informal guidance into account when preparing for any submission of draft resolutions.
   - Several delegations welcomed the initiative of the UNEA President and CPR Chair to provide informal guidance and to have an early overview of draft resolutions for UNEA-5.2, and supported the principles for future work as outlined by the Vice Chair.
   - The delegation of Peru presented a draft resolution on an internationally legally binding instrument on plastic pollution circulated on behalf of the Governments of Peru and Rwanda, which sets out to establish an International Negotiating Committee for a legally binding instrument that addresses the full life cycle of plastic. So far, 41 countries had signed up to co-sponsor the resolution, and other Member States were invited join the group of co-sponsors. Several Member States voiced their support for the draft resolution.
   - The representative of the African Group announced the intention of the Group to table three draft resolutions on the topics of 1) circular economy; 2) biodiversity and health, and 3) green recovery. He underlined the need for UNEA 5.2 to be held in person to ensure universal participation and in-person negotiations, and supported the notion of a realistic and manageable agenda while not undermining the sovereign right of Member States to submit draft resolutions.
   - The representative of the European Union and its Member States announced the intention to table two resolutions, one on the topic of nature-based solutions and a second on climate adaptation for water quality and aquatic ecosystems, whose concept would be presented at the 8th Annual Subcommittee. She recognized that UNEA 5.2 should take action on many of the key areas identified in the secretariat background note submitted to the 155th meeting of the CPR, and supported an extension of the 10 Year Framework of Programmes on Sustainable Consumption and Production Patterns (10YFP).
   - The representative of Indonesia announced their intention to submit a draft resolution on sustainable lake management and stressed the importance of a strong science-policy interface and engagement with communities and stakeholders.
   - Several Member States welcomed the upcoming consultations on the zero draft ministerial declaration for the resumed session of UNEA-5 and on the zero draft political declaration considered under UNGA resolution 73/333, with some delegations pointing to the possibility of adopting the latter declaration at the special session on UNEP@50.

7. The Chair thanked Member States for their guidance, took note of announcements of draft resolutions, and strongly encouraged all other Member States who intend to submit draft resolutions to present or announce these initiatives at the 8th Annual Subcommittee, where the Committee will consider these matters under agenda item 4 (b). He also invited each of the regional and political groups to nominate 1-2 facilitators per group by the annual subcommittee meeting, to support the upcoming consultations process on draft resolutions.

8. In response to the Vice Chair's proposal, delegations who took the floor provided the following comments:
   - Welcomed the proposals to facilitate upcoming consultations, as well as the early call for facilitators, although pointing out the need to have a clearer overview of the number of draft resolutions before final appointment of facilitators.
   - Underlined the need for an inclusive and transparent process and announcement of intentions to submit draft resolutions and for making wise use of the intersessional period.
   - Commended the efforts to resume in-person meetings, noting that the COVID-19 pandemic is not over and that delegates as well as the secretariat need ensure that health-related restrictions are respected.
   - Emphasized the need for the secretariat to provide adequate support to the resolutions process, and noted that further clarity is needed regarding the format, logistical arrangements and composition of delegations for participations in UNEA-5.2.

9. The secretariat referred to the discussion on the format of UNEA-5.2 at the UNEA Bureau meeting on 5 October 2021, where the Executive Director of UNEP had outlined a step-by-step approach for ensuring universal in-person participation at the resumed session, which will likely take place in a hybrid format with possible limitations in place regarding the size of delegations due to ongoing restrictions and guidance on physical distancing.

Agenda Item 3: Implementation of UNEA resolution 4/19 on mineral resource governance.

10. The Secretariat provided an update on the implementation of UNEA resolution 4/9 on mineral resource governance and presented the key components to fulfilling the mandates of the resolution, including a discussion paper, regional consultations, and the report to UNEA-5. The presentation is available here.

11. Delegations who took the floor thanked the secretariat for the briefing and presentation, welcomed the follow-up activities to implement UNEA resolution 4/9 on mineral resource governance, including on the development of guiding principles for sustainable mining, asked if the specific recommendations contained in the official working document for UNEA-5 on this topic are expected to be updated following the planned regional dialogues on the future of this agenda, and asked for further information on future planned actions to implement the resolution.

12. The secretariat took note of the comments and of the interest expressed in the upcoming consultations, informed that existing recommendations in the official document for UNEA-5 will not be modified, and recommended Member States to consider how to take forward the existing recommendations at UNEA 5.2.

13. The representative of Switzerland announced that based on the outcomes of the regional consultations, Switzerland, Senegal, Argentina, Ghana and the Democratic Republic of Congo intend to present a draft resolution on mineral resource governance for consideration at UNEA.5.2.

14. The Chair encouraged interested Member States to further address this matter at the 8th meeting of the Annual Subcommittee of the Committee of Permanent Representatives.

Agenda Item 4: Update on the consensual process for review by the Committee of Permanent Representatives.

15. The Secretariat provided a brief progress update on the stock-taking meeting for the consensual process for review by the Committee of Permanent Representatives, as mandated by UNEA decisions 4/2 and considered at the 7th meeting of the annual subcommittee.

16. Delegations who took the floor thanked the secretariat for the briefing, noted that the outcome document is close to consensual and recommended that the issue should be considered at the 8th meeting of the annual subcommittee, in preparation for possible conclusion at UNEA-5.2.

17. Many delegations underlined the need to focus on the only outstanding paragraph and to avoid reopening the text. One delegation emphasized that the issue of the possible systemic issues related to the cycle of rotation of the CPR and UNEA Bureaus also warrants further consideration, while several other delegations did not see the need to address this matter, given the lengthy discussions on the topic in May and June 2021.

18. The Chair noted the general wish to address this matter at the 8th annual subcommittee, and referred to upcoming consultations with the CPR Bureau on 18 October 2021 to identify the best way forward.

Agenda Item 5: Other matters.

19. The delegation of China provided a short briefing on the 15th meeting of the Conference of Parties under the Convention on Biodiversity (COP 15) which is taking place virtually from Kunming, China on 11 - 15 October 2021, and noted that significant progress had been made towards an agreement on a post 2020 biodiversity framework.

20. A representative of the Children and Youth Major Group informed that they would submit a draft document on the arrangements for the special session on UNEP@50 which highlights views from children and youth regarding the agenda, outcomes, and modalities of participation, and invited Member States to consider the proposals.

Agenda Item 6: Closing of the meeting.

21. The meeting closed at 4.30 pm.