

UN Environment Assembly: A Perspective

Bhaskar Balakrishnan*



Bhaskar Balakrishnan

The resumed fifth session of the UN Environment Assembly (UNEA-5.2), which convened under the theme “Strengthening Actions for Nature to Achieve the Sustainable Development Goals,” saw Member States adopting important resolutions to fight the menace of pollution. UNEA-5.2 took place in hybrid format in Nairobi, Kenya, and virtually from 28 February - 2 March 2022. 14 resolutions, one decision, and a Ministerial Declaration were adopted, together with a political declaration commemorating the 50th anniversary of the establishment of the United Nations Environment Programme (UNEP). During the Assembly two important resolutions were adopted. One titled “End Plastic Pollution: Towards an International Legally Binding Instrument.” Another, key resolution to establish a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution could have important consequences. The results of the UNEA deliberations (1) are summarized below.

UNEA was established at the UN Conference on Sustainable Development (Rio+20) in 2012, in response to the grave challenges to the environment and rising inequality among a global population estimated to reach 11 billion by the end of the twenty-first century. The UNEA is the successor to the fifty eight member General Council of UNEP which was established by the 1972 Stockholm Conference on

*Science Diplomacy Fellow, RIS.

the environment. Following Rio+20, the UNGA strengthened UNEP and opened up the General Council to all member states and in 2013, changed its name to the UNEA of the UNEP called by some as “the World’s Parliament on the Environment.” The Open-Ended Committee of Permanent Representatives (OECPR) meets in advance of each UNEA session to prepare for the session by negotiating resolutions.

UNEA’s first online session took place in February 2021, adopting a limited set of three administrative decisions and agreed to convene a resumed, in-person fifth session in 2022. The Assembly also agreed to mark the 50th anniversary of the creation of UNEP in 1972. The President of UNEA, Espen Barth Eide (of Norway) called for diplomacy to reach agreement, and the Executive Secretary of UNEA Inger Andersen called for greater multilateralism to address the triple planetary crisis of climate change, biodiversity loss, and pollution in times of turmoil. However, a discordant note was struck when delegations from the EU and the Russian Federation clashed over the Ukraine conflict.

The Committee of Permanent Representatives (OECPR) presented a draft ministerial declaration that had been endorsed and reported that that agreement had been reached on the sound management of chemicals and wastes, and on the creation of an INC for plastics. 13 draft resolutions were ready as well as the draft political declaration on the Special Session of UNEA to commemorate the 50th anniversary of the establishment of UNEP. The Committee of the Whole (COW) then discussed the draft resolutions and decisions.

On plastic pollution (proposal by India), the final resolution, requests the Executive Director of UNEP to convene an Intergovernmental Negotiating Committee (INC), commencing its work during the second half of 2022, with the ambition of completing its work by the end of 2024. Also, that the INC should develop an international Legally Binding Instrument (LBI) on plastic pollution, including in the marine environment, which could include both binding and voluntary approaches, based on a comprehensive approach that addresses the full lifecycle of plastic, considering among other things, the principles of the Rio Declaration on Environment and Development, as well as national circumstances and capabilities. The LBI should (a) promote sustainable production and consumption of plastics; (b) promote national and international cooperative measures to reduce plastic pollution in the marine environment, including existing plastic pollution; and (c) develop, implement and update national action plans to contribute to the objectives of the instrument. The Executive Director is tasked with convening an ad-hoc open-ended working group to hold one meeting during the first half of 2022 to prepare for the work of the INC.

On biodiversity and health (proposal by the African Group) the final resolution requests the Executive Director UNEP to, inter alia, (a) institute actions to enhance the availability, quality and timeliness of data for monitoring and surveillance, capacity and capability across One Health sectors; (b) foster cooperation in the context of pandemic preparedness, prevention and response; (c) support Member States to assess the environmental

dimensions of health. The resolution also, *inter alia*, calls on Member States to: (a) mainstream and coordinate the conservation, restoration and sustainable use of biodiversity into sectoral policies and programmes to enhance ecosystem resilience, and halt and reverse biodiversity loss; (b) foster cooperation to reduce the risk of, and manage spillover events and zoonotic disease outbreaks, break the sequence of transmission, and rapidly and transparently respond to prevent epidemics and pandemics; (c) promote the effective participation of developed and developing countries in health-related biotechnological research activities; (d) implement and work towards compliance with access and benefit sharing frameworks, where appropriate, to contribute to the conservation and sustainable use of biodiversity; (e) strengthen links between biodiversity conservation, sustainable use and public health in sectoral policies and in accordance with the One Health approach; and (f) reduce health risks associated with trade in live wildlife captured for the purposes of food, captive breeding, medicines, and the pet trade.

On Nature based Solutions (NbS) for supporting sustainable development (proposal by EU) the final resolution requests UNEP to convene intergovernmental consultations to, *inter alia*: (a) compile examples of best practices of NbS; (b) assess existing and discuss possible new proposals, criteria, standards, and guidelines to address divergences with a view to reaching a common understanding among Member States for the implementation of NbS; and (c) identify options for supporting sustainable investments in NbS and share

relevant information. Member States and UNEP, are urged to follow a country-driven, gender-responsive, participatory, and fully transparent approach, when designing, implementing, and monitoring NbS.

On the animal welfare–environment–sustainable development nexus (proposal by Ghana, Burkina Faso, Democratic Republic of the Congo, Ethiopia, Pakistan, Senegal, and South Sudan) the final resolution (a) acknowledges that animal welfare can contribute to address environmental challenges, promote the One Health approach, and achieve the SDGs; (b) notes that the welfare and health of animals, sustainable development, and the environment are connected to human health and well-being, and acknowledges that there is an increasing need to address these links through the One Health approach, among other holistic approaches. The resolution requests the Executive Director to produce a report which will analyze the nexus between animal welfare, the environment, and sustainable development, and report to UNEA-6 on the findings of the report.

On sustainable lake management (proposal by Indonesia), the final resolution requests Member States and others to undertake and implement: (a) protection, conservation, and restoration as well as sustainable use of lakes through integrated management at all levels; (b) integration of lakes into national and regional development plans; (c) research and scientific guidance; and (d) development of international networking and collaboration, for integrated sustainable and climate resilient lake management. UNEP is asked to take action on: (a) supporting

the advancement of sustainable lake management; (b) facilitating collaboration among Member States and other in research, capacity building, and knowledge sharing; and (c) advancing the mainstreaming of sustainable lake management in the relevant global agenda and awareness raising at the global level.

On a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution (presented by Switzerland), the final resolution, *inter alia*: (a) decided that a science-policy panel should be established to contribute further to the sound management of chemicals and waste and to prevent pollution; (b) considered that the panel should be an independent intergovernmental body with a programme of work approved by its member governments to deliver policy relevant scientific evidence without being policy prescriptive; (c) decided to convene, an ad hoc open-ended working group that will commence in 2022 with the ambition of completing its work by the end of 2024; (d) decides that the ad hoc open-ended working group will prepare proposals for the science-policy panel to consider the following issues: the institutional design and governance of the panel; the name and scope of the panel; and the principal functions set out in the resolution, while respecting the mandates of relevant multilateral agreements and other international instruments and intergovernmental bodies, avoiding overlap and duplication of work and promoting coordination and cooperation.

On the sound management of chemicals and waste (proposal by Switzerland, Peru,

and Thailand) the final resolution, *inter alia*, (a) expresses great concern with the unsound management of chemicals and waste and its negative impacts on human health and the environment; (b) recognizes the need to take further action to reduce or eliminate the risks associated with the chemicals and waste issues of concern; (c) expresses concern that increasing levels of illegal transboundary movements of hazardous wastes and other waste pose disproportionate negative impacts, and invite the parties of the Basel Convention to consider this issue further; (d) welcomes the significant role played by the GEF and invites it, and encourages donors to the GEF trust fund, to continue and enhance their support for the sound management of chemicals and waste; The resolution also requests the Executive Director to, *inter alia*, (a) in cooperation with the WHO, update the report on the state of the science of endocrine disrupting chemicals by UNEA-6; (b) in cooperation with the WHO, present a full range of options to address asbestos contaminants in products and the environment for consideration by UNEA-6.

On sustainable nitrogen management (proposal by Sri Lanka) the final resolution encourages Member States to accelerate actions to significantly reduce nitrogen waste globally by 2030 and beyond through the improvement of sustainable nitrogen management, and to share information on national action plans. The resolution requests UNEP to: (a) support Member States in the development of national action plans for sustainable nitrogen management, subject to the availability of resources; (b) identify possible modalities for improved coordination

of policies across the global nitrogen cycle at the national, regional, and global levels, including an intergovernmental coordination mechanism for nitrogen policies.

In the final resolution on sustainable and resilient infrastructure (proposal by Mongolia), the final resolution encourages Member States and other stakeholders to, inter alia: (a) consider integrating and operationalizing the ten “International Good Practice Principles for Sustainable Infrastructure” into national policies; (b) implement existing tools and co-develop further knowledge products; (c) cooperate internationally to strengthen frameworks, and (d) consider the role of digital infrastructure. The resolution also encourages Member States to: (a) conduct strategic and environmental impact assessments for decision making; (b) promote investment in natural infrastructure, nature-based solutions, and environmentally, socially and economically sustainable health infrastructure; and (c) provide opportunities for the engagement of relevant stakeholders, including local communities, vulnerable people, and Indigenous Peoples. The resolution requests the UNEP to: (a) promote the implementation of existing tools; (b) support sharing of experiences, and technical assistance, capacity building on sustainable infrastructure; (c) facilitate private sector engagement in planning and developing and mobilizing finance and to report to UNEA-6.

On environmental aspects of minerals and metals management (proposal by Switzerland, South Africa, Algeria, Chile) the final resolution (a) underlines

the specific environmental challenges related to artisanal and small-scale mining, and their related health risks; (b) stresses the need for enhancing action to support the environmentally sustainable management of minerals and metals and recognize the regulatory and administrative capacity challenges faced by countries; (c) acknowledges that clean technologies, highly dependent on metals and minerals, are important for combatting climate change and stresses the important contribution that the sustainable management of metals and minerals makes to achieving the 2030 Agenda; (d) encourages Member States and invites relevant stakeholders active along the full lifecycle of minerals and metals, to align mining practices and investments with the 2030 Agenda; and (e) requests the UNEP to convene intergovernmental regional consultations to feed into a global meeting with the aim of developing non-prescriptive proposals to enhance the environmental sustainability of metals and minerals along the full lifecycle. The consultations will: (a) take stock of existing activities and actions from the public and private sector and other relevant stakeholders, and identify, inter alia, technical tools, best practices, standards, guidelines, environmentally sustainable technologies, use of renewable energy in mining, and responsible business practices; (b) identify opportunities for enhanced international cooperation, including with a view to fostering capacity building, technological, technical and scientific cooperation in the mining sector, in particular with developing countries; and (c) identify possible ways forward for consideration at UNEA-6, as appropriate.

The Executive Director UNEP is also requested to report to UNEA-6 on the progress achieved in the implementation of the resolution, including a summary reporting on the consultations.

On the environmental dimension of a sustainable, resilient and inclusive post COVID-19 recovery (proposal by the African Group) the final resolution, inter alia: (a) notes with concern that the COVID-19 pandemic has slowed down the progress in achieving the 2030 Agenda and the SDGs; (b) reiterates that the COVID-19 pandemic has not changed the urgency of addressing the environmental dimensions of sustainable development but on the contrary has accelerated the need to take urgent action to address the environmental crises and to strengthen the long-term sustainable, resilient and inclusive recovery from COVID-19; (c) encourages Member States to strengthen measures to achieve a sustainable, resilient, and inclusive global recovery, including, but not limited to, continuing to enhance actions to combat climate change, biodiversity loss, and pollution, and implementing the 2030 Agenda, taking into account national circumstances; (d) calls upon Member States to share knowledge and build capacity, especially in developing countries, in the areas of research and development, technological innovation to help improve information sharing, and technical support for an inclusive, resilient, and sustainable recovery; (e) requests the Executive Director UNEP to support countries on information, knowledge and capacity development and technical support, for a sustainable, inclusive, and resilient recovery.

On enhancing circular economy as a contribution to achieving sustainable consumption and production (proposal by the African Group) the final resolution invites Member States to: (a) integrate circular economy approaches in relevant national and regional strategies and action plans; (b) take measures, in cooperation with the private sector, to enhance the design of products to favor product lifetime extension, repair, reuse, and easier recycling in the context of circular economy; (c) cooperate with relevant organizations and networks on sharing and discussing best practices on relevant product information along value chains; (d) promote and enhance circular economy approaches as well as business models, innovations and investments to contribute to, inter alia, sustainable management, use, and consumption of natural resources and materials; and (e) improve the predictability of and enhance access to support, such as sustainable finance, environmentally sound technologies for the uptake of circular economy and other approaches to Sustainable Consumption and Production (SCP). The resolution recognizes the importance of inclusive multilateral and multi-stakeholder dialogues on SCP, resource efficiency, and circular economy to promote sustainable development. The resolution requests UNEP Executive Secretary to: (a) continue collecting information and conducting further analysis on the issue of used vehicles and clean fuels and to reduce related negative environmental and health related impacts; (b) facilitate the collaboration among Member States and members of UN Specialized Agencies in research, capacity building, knowledge management, and

sharing of best practices for the promotion of innovative pathways for SCP, including circular economy; and (c) report to UNEA-6 on the implementation of this resolution

On the future of the Global Environment Outlook (GEO) (proposal by Secretariat of UNEP) the final resolution reaffirms the GEO objective and aim. It requests UNEP to establish an ad hoc intergovernmental and multi-stakeholder advisory group and prepare GEO-7 to be submitted at a future UNEA session no sooner than 2025. UNEA decides that the GEO process should identify intergovernmental-defined needs and terms to support capacity building, knowledge generation, and policy making. UNEA further requests UNEP, with guidance from the intergovernmental and multi-stakeholder advisory group, to: (a) convene an intergovernmental, multi-stakeholder, and expert meeting to create a set of procedures that reflects the objectives and core function of GEO; (b) conduct a nomination and selection process for external experts, who will contribute to GEO; (c) ensure GEO draws from the best available evidence; (d) establish a multidisciplinary expert scientific advisory group responsible for overseeing the scientific integrity of the GEO process; (e) develop a flexible multi-year work plan and time bound budget, setting out a programme of activities, such as assessments and support services; (f) strengthen the science-policy interface by developing for each assessment a scoping document and a summary for policymakers and approve the undertaking of intergovernmental and expert led assessments approved by UNEA; and (g) continue the GEO fellows programme for youth. UNEP is requested to administer

the GEO process and periodically consult with the CPR on important elements.

UNEA President Eide presented the draft Ministerial Declaration entitled, “Strengthening Actions for Nature to Achieve the SDGs.” This draft had been negotiated in the OECPR and with some minor changes the Assembly adopted the Declaration. In the Ministerial Declaration the Ministers of Environment recognize the need for transformative and systemic changes, and for policies that address several environmental, economic and social challenges simultaneously. The Ministers commit to: (a) building on the strength of innovation, science and knowledge, capacity building, and investment in green and sustainable technologies; (b) promoting an inclusive and sustainable recovery, and a green and just transition, with the goal of revitalizing our economies and livelihoods and ending poverty; (c) undertaking work across sectors and levels of government, and among governments, to halt loss, degradation and fragmentation of ecosystems; (d) promoting comprehensive land and water use planning with robust national enforcement as an important tool for sustainable development; (e) promoting the conservation and sustainable use and management of natural resources and to advance SCP patterns; (f) safeguarding life under water and restoring a clean, healthy, resilient and productive ocean capable of providing food, sustainable livelihoods, and storing carbon; (g) pursuing and joining new and innovative partnerships across sectors, and engaging all relevant stakeholders, working with youth, women, Indigenous Peoples and local communities, and with the business,

finance, education and science sectors; (h) relying on the knowledge gained from the recent scientific assessment of IPBES, IPCC, the International Resource Panel, and UNEP, and encouraging enhanced collaboration among scientific panels; and (i) undertaking to cooperate across sectors and levels of government, in partnership with other governments and local actors and the private sector, to transition to sustainable food systems.

On the final decision on the date and venue for UNEA-6, the Assembly decided that UNEA-6 will take place from 26 February - 1 March 2024 and OECPR-6 from 19-23 February 2024 at UNEP headquarters in Nairobi, Kenya. The Assembly further elected by acclamation Leyla Benali, Minister of Energy, Transition, and Sustainable Development, Morocco, as UNEA-6 President. On 3 March, UNEA-6 President Leila Benali (Morocco) opened the Special Session UNEP@50, and introduced the overall theme, "Strengthening UNEP for the Implementation of the Environmental Dimension of the 2030 Agenda for Sustainable Development." The draft Political Declaration of the Special Session of UNEA to commemorate the 50th anniversary of the establishment of UNEP had been negotiated in the OECPR. The Assembly adopted the declaration.

In the Political Declaration of the Special Session of UNEA, Heads of State and Government, ministers and high-level representatives commemorated the 50th anniversary of the establishment of UNEP and acknowledged with appreciation its contribution in supporting a worldwide effort to overcome the planet's biggest

environmental challenges. They also, inter alia: (a) recognize that a clean, healthy and sustainable environment is important for the enjoyment of human rights; (b) recognize the urgent need and common objective to reinforce and advance conservation, restoration and sustainable use for present and future generations; (c) reaffirm that eradicating poverty, changing unsustainable patterns of consumption and production and promoting sustainable ones, are the overarching objectives of, and essential requirements for, sustainable development; (d) recognize the importance of fostering environmental rule of law and effective international environmental governance through multilateral processes, as well as the crucial importance of effective domestic legal frameworks and governance structures for promoting compliance with obligations under international environmental law; (e) call for renewed efforts at all levels to enhance implementation of existing obligations and commitments under international environmental law; (f) renew their support for strengthening collaboration and cooperation between multilateral environmental agreements and UNEP, while respecting their independence and respective mandates; (g) support the key role of UNEP in promoting and strengthening the science-policy interface in order to support intergovernmental debate, negotiations, deliberations, and policy decisions relating to international environmental law and governance; (h) recognize the importance of access to information, access to public participation in decision-making processes, and access to justice in environmental matters; and (i) call upon Member States and members

of specialized agencies to enhance the provision and mobilization of all types and sources of means of implementation, including capacity building, technology and financial support.

On several occasions the proceedings were marred by clashes between the EU and its supporters and Russia and its supporters. In the closing plenary also, the EU, condemned attacks by the Russian Federation on nuclear plants in Zaporizhzhia and Chernobyl, stressing that safety and security risks could result in long-term severe consequences for humanity and the environment. In right of reply and urging not to politicize the

debate, Russia responded that, in terms of nuclear security, the threat comes from neo-Nazi groups attacking the nuclear plants, noting that the nuclear stations are safe due to the responsible actions of the Russian military.

However, the UNEA5 could be termed a major success in terms of the number of actions it approved, including the ones on plastics pollution, and on sound management of chemicals and wastes.

Reference

UNEA-5.2, OECPR-5.2 and UNEP@50, IISD. 4 March 2022. Retrieved from <https://enb.iisd.org/unea5-oepr5-unep50-summary>.