

Global Major Groups & Stakeholders Forum Prior to UN Environment Assembly of the UNEP

21-22 June 2014

UN Compound, Gigiri, Conference Room 1

Rapporteurs: Maggie Comstock, Regional Representative, North America; Norine Kennedy, Global Coordinator, Major Group for Business and Industry; Nhattan Nguyen, Global Coordinator, Major Group for Children & Youth; Chehek Bilgi, Women in Europe for a Common Future

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Common Statement to UNEA by the Global Major Groups and Stakeholder Forum

The Global Major Groups and Stakeholders Forum acknowledges the historic significance of this first United Nations Environment Assembly of the UN Environment Programme. We join with everyone gathered here in celebrating this momentous event.

UNEA must be understood in the context of the dire environmental crisis facing our planet, a crisis that is pressing the boundaries of the planet's physical capacity to sustain a life of dignity for all. We must confront our common responsibility to resolve the severe challenges that face our generation. We therefore urge UNEA to deliver a bold, forward-looking and meaningful outcome that can be implemented in a timely and effective way.

We welcome UNEA's agenda, including the need to address the global challenges involved in Environmental Rule of Law, Sustainable Development Goals, and Illegal Trade in Wildlife and Timber. We underscore the centrality of a human rights-based approach as well as a science-based approach to UNEA's work, in order to transition toward a paradigm of harmony with nature. Special attention is due to the needs of Indigenous Peoples and communities in vulnerable situations. We call on Ministers and Delegates at UNEA to commit to the full implementation of UNEA's outcomes.

UNEP's mandate is key to safeguarding the global environment. Forty years of experience shows that UNEP can only deliver on its mandate by working in partnership with civil society. A robust and inclusive policy on stakeholder engagement is critical to enable this partnership. We are deeply concerned about the risk of regression from certain good practices on stakeholder participation at UNEP that have also been reflected in the UN General Assembly resolution (67/290) establishing the high level political forum on sustainable development. We are also concerned by the serious inadequacies in UNEP's new access to information policy because the grounds for refusal are too broad, the appeals panel is not independent and decision-making is not accountable. We expect UNEA to adopt rules of procedure that will enable meaningful and effective civil society engagement.

To conclude, we have great expectations for UNEA. We are fully committed to making UNEA an historic opportunity for the international community to come and work together, to respond with vision and determination to the hopes and aspirations of humanity. We cannot despair. We cannot give up. We all deserve a life of dignity and we demand respect for our right to live in a healthy environment. We all have a responsibility to our children, future generations and the totality of life on the planet.

Day One: Saturday, 21 June 2014 in Nairobi

Open and Welcoming: Review of Agenda and Objectives of Meeting



Marcos Orellana, Co-chair of the Major Groups Facilitating Committee, and Representative, NGO Major Group, welcomed attendees to the Global Major Groups and Stakeholders Forum. We have learned a lot since 1972, including the effects that over-consumption and demographic pressures have on our planet. Inequitable political arrangements and economic structures, do not account for the environment; instead, they condemn poverty while exceeding planetary boundaries. The first session of UNEA is an important and historical opportunity to address environmental challenges.

Civil society involvement is essential for democratic dialogue and central to accountability. Civil society provides technical expertise to governments. We are compelled to act by moral imperative. Civil society has come to Nairobi at great effort to engage in a dialogue about our global environment, to strengthen civil society voices, and contribute to agenda setting, decision making and implementation. UNEA is a landmark opportunity to facilitate dialogue and agreements beyond political boundaries, in which the role of civil society cannot be overstated.

Ibrahim Thiaw, United Nations Assistant Secretary-General, Deputy Director, UNEP, welcomed major groups and stakeholders to the first ever UN Environment Assembly. This marks a historic moment in the environmental movement. We are very happy and proud to be a part of this history and we should not take it for granted that the world has made much progress towards the environment. This meeting will bring together governments, stakeholders and other actors to look after all environmental programs, from overseeing the work of Chief Executive to the General Assembly.

UNEP has just released its first ever access to information policy. This is a first and major step. We have given ourselves a year to review this policy and issue a new one by the middle of next year. We look forward to your constructive engagement and comments. The themes of UNEA highlight the inter-linkages between the environment and sustainable development. From the green economy and health to SGDs and SCP, these inter-linkages are the important issues of our time. MGS play an important role in this process and can aid discussions through interaction with governments, one another and all actors, reminding them of these inter-linkages.

UNEA: Significance, Structure and Expected Outcomes

Facilitated by Representatives of Children and Youth Major Group



Kehkashan Basu, Representative, Children and Youth Major Group, opened the session with a quote from UNEP Executive Director, Achim Steiner, "The environment is set to take center stage this June, with the holding of the landmark UNEA here, in Nairobi, Kenya." UNEA, being the subsidiary assembly of the UNGA, will allow environmental issues to have a similar status to those of peace, security, finance, health and trade, and also provide civil society and other stakeholders with an unprecedented engagement platform of engagement in the dialogue process.

Jiri Hlavacek, Secretary of the Governing Bodies, UNEP, presented on the significance of UNEA. Representatives of more than 160 Member States have registered to attend the first session of UNEA and more than 90 delegations will be led by Ministers or Vice Ministers. Additionally, 1,200 individuals have registered to participate in UNEA. Various events are being organized to bring diverse actors to Nairobi, making UNEA a truly interactive forum to discuss global environmental issues.

UNEA responds to the call of Rio+20, as outlined in Paragraph 88 of the "Future We Want" document, to extend participation in UNEP to universal membership. Prior to the introduction of universal membership to the governing body, the Governing Council comprised 58 members elected by the General Assembly for staggered four calendar-year terms. The Committee of Permanent Representatives, which includes missions accredited to UNEP, serves as the inter-sessional governing body of UNEP. The Open Ended meeting of the Committee of Permanent Representatives, held in March 2014, considered the reports of the Executive Director and decisions/resolutions to be adopted at UNEA, discussed the structure of the high-level segment and possible outcome of UNEA, and agreed on inter-sessional work to be undertaken by the CPR, including amendments to the rules of procedure, stakeholder engagement policy and UNEP programme of work and budget.

Currently, the provisional agenda for UNEA addresses amendments to the rules of procedures, as well as policy issues, including the state of the environment, emerging policy issues, international environmental governance, coordination and cooperation within the UN system on environment matters, coordination and cooperation with major groups, and the inter-linkages between environment and development. UNEA will follow up on the implementation of the outcomes of various UN summits and discuss the budget and programme of work from 2016-2017.

UNEA is expected to adopt the following decisions and resolutions:

- Omnibus decision on science-policy interface;
- Omnibus decision on chemicals and waste;
- Ecosystem-based Adaptation;

- Promoting air quality through UNEP;
- Marine plastic debris and micro plastics;
- GEMS/Water;
- Illegal trade in wildlife;
- Amendments to the Instrument to the Establishments of the Restructured Global; Environment Facilities;
- Trust funds and earmarked contributions; and
- Stakeholder engagement.

The High-level Segment of UNEA has two themes: SDGs and the Post-2015 Development Agenda, including Sustainable Consumption and Production, and Illegal Trade in Wildlife. There is agreement that the first session of UNEA should highlight critical environmental issues and mobilize concerted actions. However, the format of an outcome is still under debate by member states, i.e. a President's summary or Ministerial declaration.

The outcomes of UNEA will be compiled into a report submitted to the UN Economic and Social Council (ECOSOC). UNEA President is expected to report on the outcome of UNEA to the second meeting of the High Level Political Forum in July 2014 in New York. UNEA's contribution may help deepen the environmental dimension in the ongoing discussion on SDGs. UNEA provides the highest-level political forum in which the world's Ministers of Environment can issue a message.

UNEA Bureau conducts the business of the governing body session and guides its preparation. Amended rules of procedure will likely have the Bureau members elected at the end of each UNEA session. The First session of the UN Environment Assembly will feature many important discussions and concurrent events, many of which are open to civil society organizations.

Alexander Juras, Chief, UNEP Major Groups and Stakeholders Branch, reported on the status of the Stakeholder Engagement Policy. There are several opportunities for civil society engagement throughout the week, including the Global Major Groups and Stakeholders Forum, Ministerial Dialogue, Working Groups, Contact Groups, the Committee of the Whole and the High-level Segment.

There will also be many important events occurring simultaneously, including the Symposium on Environmental Rule of Law, Symposium on Green Economy, Social and Special Events, the Green Room and Side Events. All of the meetings, with the exception of some social events, are open for attendance by all.

In UNEA meetings, there will be designated seats for two representatives of the 9 Major Groups, including specifically the opening and closing ceremonies, Committee of the Whole plenaries, opening plenary of the high-level segment, and ministerial plenaries and dialogues. MGS may access all in-session documents, decisions and meetings through the online Paper Smart portal. MGS may submit oral statements and written inputs through the Secretariat. As there is limited time for interventions, Mr. Juras recommended that MGS prepare consolidated, short and joint statements where possible. Access to other sessions are at the discretion of the President of the GC/GMEF of the organizing party of the Chair, e.g. special lunches, working groups, contact groups, etc.

Stakeholder engagement in UNEP is facilitated through the 9 Major Groups, which is coordinated through the Major Groups Facilitating Committee and Regional Representatives. MGS will host daily morning briefings in the Green Room.

While the Stakeholder Engagement Policy is not yet finalized, there are a number of provisions within the policy which support increased stakeholder engagement. By 2014, UNEP plans to develop a process for stakeholder accreditation and participation, mechanisms and rules for stakeholder expert input and advice, and working methods and processes for contributions by all relevant stakeholders toward the intergovernmental decision making process. Stakeholders will have the opportunity to lend expert input and advice to aid agenda-setting, decision-making and implementation.

In the development of this policy, there was in-depth discussion of Rule 69 of the Rules of Procedure, and input from MGS was considered. Currently, there is no final agreement among member states and this discussion will be continued at UNEA in the Working Group on Rules and Procedures. Notable accomplishments regarding stakeholder engagement include the right for MGS to participate in all meetings of UNEA and Subsidiary Organs (including the CPR), the right to submit written and oral statements, recognition of the important role of environmental NGOs and a call for more inclusiveness, accreditation for national-level organizations, Major Groups and Stakeholders Fora held in conjunction with the OECPR and UNEA, the right for MGS to self-organize, and acknowledgement of the potential for ICT.

There are open issues remaining related to accreditation, access-to-documents and meetings with the bureaus. Namely:

- Who approves the list of accredited organizations and when does such an approval take place? (Para 15, Rule 69)
- Which information is accessible for accredited stakeholders (beyond what is spelled out in UNEP's access to information policy)? (Para 18d, Rule 69)
- Informal meetings of UNEA/OECPR bureaus with MGS representatives. (Para 26)

There are three potential outcomes related to the Stakeholder Engagement Policy:

1. UNEA adopts the policy based on consensus by member states.
2. UNEA adopts the policy, except for the text in brackets. Parts in brackets may be reopened at a future session of UNEA. UNEP will apply agreed regulations and continue to apply current rules and practices for topics not agreed.
3. UNEA does not adopt the policy. UNEA may request the Executive Director, in consultations with the CPR, to further prepare the draft policy for submission to the second session of UNEA. Current rules and practices continue to be applied by UNEP.

The Chair opened the floor to questions from MGS.

John Hontelez, Forest Stewardship Council, asked Mr. Hlavacek to identify the events during UNEA open to all. To which **Mr. Hlavacek** responded that the social activities to be held on Monday and Tuesday are open to all. The screening of the film *Wasteland* is open to all. The Thursday cocktail reception from 7-8PM is open to ministers only and the Friday evening dinner hosted by Cabinet Secretary is invitation only. **Mr. Hontelez** continued his inquiry, asking Mr. Juras what he meant when he said UNEP acknowledges the importance of environmental NGOs. Will ENGOs become a 10th Major Group? To which **Mr. Juras** responded that while UNEP acknowledges importance of ENGOs they are not recommending the creation of a 10th Major Group. He reminded the GMGSF that the text was supported by the MGS during the OECPR.

Neth Dano, Action Group on Erosion, Technology and Concentration (ETC Group), a member of the NGO Major Group asked if MGS will have the opportunity to draft the Ministerial statement. To which **Mr. Juras** responded this will be done by governments.

Susan Brown, WWF International, remarked that it is unclear what the format of UNEA outcome will take. Is there a timeline for when we will know? **Mr. Juras** responded explaining that this is in the hands of the governments.

UNEA: Common Statement – Introduction and Process

Facilitated by Representatives of Farmers MG



Calvin James, Representative, Farmers Major Group, noted that his task this morning is to facilitate the development of a common major groups and stakeholder statement. It is customary that MGS work together to develop such a statement, which should be clear, concise and representative of the views of civil society. This statement will be read at the opening of UNEA. Possible input documents for the common statement include the common statement developed at the OECPR, the Regional Consultation statements, as well as papers by expert groups. The rules of engagement for the drafting committee dictate that the committee shall meet at an appropriate venue, choose a chair and develop own terms of engagement, and seek expert help as necessary. The committee will submit a final advanced draft to MGSB for circulation to all MGS for review before the plenary on 22 June.

Marcos Orellana, James Cole, Susana Rivero Baughman, Meena Bilgi, Essam Nada and Peter Denton volunteered to form a core sub-team of the drafting team, which will also seek the advice of **Jan-Gustav Strandenaes**. Additionally, **Calvin James** will serve on the committee as an ad-hoc member. The MGS are free to present contributions to the drafting committee as well as submit contributions in writing to the Chair.

Leida Rijnhout, European Environmental Bureau, asked if there will be an opportunity to comment on the first draft.

Norine Kennedy, Co-Chair, MGFC, responded that the preparation of this common statement is not the only time for the MGS to develop positions. Tomorrow over lunch, the regions will convene and weigh in as well.

Calvin James, Representative, Farmers Major Group, continued, the final advanced draft will be submitted before the final plenary. The drafting committee will have until 10PM to deliver an initial draft of the common statement. That document will not be the final document. Additionally, 30 minutes on Sunday will be allocated to MGS positions on the draft. Calvin James closed with a quote by Babe

Ruth, “The way a team plays as a whole determines its success. You may have the greatest bunch of individual stars in the world, but if they don’t play together, the club won’t be worth a dime.”

UNEA: Thematic Clusters – Definitions, Facilitators and Breakout

Facilitated by the Co-Chairs of the Major Groups Facilitating Committee



Marcos Orellana, Co-Chair, MGFC, opened the afternoon session of the GMGSF. Thematic clusters do not replace the Major Groups structure; instead, they facilitate cross-sector discussions along the subject themes of UNEA. It is the role of the thematic cluster facilitator to facilitate development of MGS statements, track the discussions and report back to the larger group. There is no expectation for consensus within the clusters. We want to preserve the diversity of views, while facilitating in-depth discussions along a theme.

Norine Kennedy, Co-Chair, MGFC, added that we had a first experience of the thematic clusters in March at the OECPR. They provided a helpful forum to share information about the discussions. **Nhattan Nguyen, Representative, Children and Youth**, volunteered to support the technical needs of the thematic clusters.

Susan Brown, WWF International, inquired about the expected outcomes of the clusters. Is there an official process or mechanism for input into UNEA process? **Marcos Orellana, Co-Chair, MGFC**, responded that the clusters will need to identify pressure points and opportunities within UNEA for written or oral statements. These statements would be delivered by the Major Groups, not as a joint statement from the clusters. When it comes to decisions and resolutions, we have the right to submit written or oral statements. In other sessions and symposia, it is less clear.

Alexander Juras, Chief, UNEP Major Groups and Stakeholders Branch, responded, stating that thematic cluster statements can be delivered at the appropriate times during the Committee of the Whole and Major Groups are always welcome to submit written statements to the Secretariat.

Norine Kennedy, Co-Chair, MGFC, identified the suggested thematic clusters:

UNEA High Level Themes

- Environmental Rule of Law
- Green Economy/Financing for the Environment
- Illegal Trade in Timber and Wildlife
- SDGs & Post-2015/Sustainable Consumption and Production

UNEA Decisions

- Rules of Procedure/Stakeholder Engagement Policy
- Science and Policy Interface

- Chemicals and Waste
- Ecosystem-based Adaptation

Norine Kennedy, Co-Chair, MGFC, reminded the GMGSF that we want to work from the themes and decisions of UNEA. She continued, asking if there are any objections or revisions to the suggested thematic clusters. Participants requested an additional cluster be formed on Marine Plastic Debris and Air Quality. **Imogen Ingram, Regional Representative for Asia-Pacific**, recommended that the Marine Plastic Debris Cluster be combined with the Chemicals and Waste Cluster.

John Hontelez, Forest Stewardship Council, asked about expectations for the clusters before tomorrow's plenary. Perhaps it would be prudent to spend more time working in the clusters and less time reporting back. **Marcos Orellana, Co-Chair, MGFC**, responded, stating that the first thematic cluster breakout will take place today. There will be a second breakout tomorrow before lunch and tomorrow afternoon, the clusters will report back to the group.

Final Thematic Clusters

UNEA High Level Themes

- Environmental Rule of Law
- Green Economy/Financing for the Environment
- Illegal Trade in Timber and Wildlife
- SDGs & Post-2015/Sustainable Consumption and Production

UNEA Decisions

- Rules of Procedure/Stakeholder Engagement Policy
- Science and Policy Interface
- Chemicals and Waste/Marine Plastic Debris
- Ecosystem-based Adaptation
- Air Quality

****Thematic Cluster Breakouts****

Open Dialogue with Achim Steiner, Executive Director, United Nations Environment Programme

Facilitated by Representatives of the Local Authorities MG



Marta Subirà Roca, Secretary of Environmental and Sustainability, Government of Catalonia, Local Authorities Major Group, introduced the session and UNEP Executive Director, Achim Steiner.

Achim Steiner, Executive Director, United Nations Environment Programme, remarked that the 1972 conference was almost doomed for failure, as many didn't think there should be a conference. As we

move towards a global economy, people feel more and more disempowered, as they feel unable to convene. The tradition of UNEP and the UN family is to push how far we can strengthen the role of MGS, while remembering that the UN is an intergovernmental body.

There is a difference between not yet accomplishing our mission and failing. Mr. Steiner acknowledges the challenges that we face when addressing climate change. MGS have been the spine of the environmental movement of the past 100 years. The environmental community is about more than protecting nature, it also addresses vulnerable communities, the science of what is happening to our planet and the failures of economics to address the value of nature. Our own movement has fallen into the trap to being too focused at times. However, moving forward, the environment should no longer be a point of division for countries and groups, but a point of unification.

The biggest difference between the Governing Council and UNEA is that the GC was established to oversee the governance of UNEP, but sometimes it was used to address decisions, as there was no other mechanism. UNEA is more than the governing body of UNEP. It is the highest-level, most legitimate body empowered to make global environmental policy decisions.

We need to be conscious that shortcuts to victory are not the aims of the UNEP. What we create is a floor, below which we should never go again. UNEA is global in nature and speaks to a wider audience. This coming week's discussions of SDGs and SCP are incredibly important. SCP has become a unifying topic for countries both North and South.

Illegal trade and wildlife is another topic of the high-level segment. Member states want to address the intricacies of national policies and conventions and address the global regulation of wildlife. On Wednesday, we will release a report that shows the extent of this environmental issue, which represents an illegal economy of more than USD\$200 billion. This is a major environmental and economic disaster, and a significant amount of this money is supporting violent conflict. This provides an opportunity for the environmental community to overlap with the development and finance communities.

The Chair opened the floor for questions from MGS.

Susan Brown, WWF International, remarked that Mr. Steiner's point on the economic failure regarding the value of nature was well taken and asked if he had ideas to effectively address this issue. **Mr. Steiner** responded that we must ensure that the value of biodiversity is not only considered as a complementary issue, but also as a foundation for future development. This is not a simple task, as one forest, river or delta may seem dispensable when compared to the advancement of the human species. It is difficult for some people to understand why the fate of one species of beetle may be more important than expanding the grid to light up Africa. We need to link our love for nature with planetary science. We must not abandon the scientific narrative; it is on our side and, with it, our arguments become stronger.

Leida Rijnhout, European Environmental Bureau, agreed that the work done by the OWG on the SDGs and seems to more appropriately address the environment than the MDGs. However, it is concerning that the mentions of the environment are getting weaker and weaker. UNEP needs to go back to its roots to be the voice within the UN system advocating for the protection of the environment. For example, the planetary boundaries concept is removed from this draft. Does UNEP no longer identify with the concept of planetary boundaries? We expect UNEP to employ the principle of non-regression. **Mr. Steiner** clarified that the SDGs are how humanity will be able to sustain its livelihood moving

forward. This is a different way to think about SDGs, but it does not detract from UNEP's goal to protect the environment. We need to reconcile our scientific and ecological understanding, plus the reality that we need to feed 9 billion people. In fewer than 15 years, we have fundamentally changed the global energy economy. For example, last year, the world invested more in renewable energy sources than coal and oil combined. With what will we power our economies will become a conversation of the past. The world is beginning to produce sustainable energy sources that are economically competitive. We have not abandoned our mandate; we have enriched it. We not only look at problems, but now we also identify solutions.

Kekhshan Basu, Representative, Children and Youth Major Group, noted that future generations are concerned about the poaching of species to extinction, but as long as demand exists, supply will find a way. How can civil society help address this? To which **Mr. Steiner** responded that youth are a powerful part of raising people's attentions and should raise their collective voices to address this issue.

Jan-Gustav Strandenaes, Stakeholder Forum, noted that MGS delegates hear things in the corridors, including that there is growing opposition politically about the scientific concept of planetary boundaries. UNEP has been able to marry science and politics, such as its work on the ozone layer. We are concerned about the growing opposition of planetary boundaries. Also, we hear rumors that some member states are willing to tolerate us but not accept our role in the implementation process; will this have adverse effects on MGS access? **Mr. Steiner**, retorted, you may be tolerated but you won't be ignored. What you're speaking to today is the heart of the agenda, not just procedural. Mr. Steiner encouraged MGC to continue this. Agenda setting is done by CSOs. My reason for optimism is not to deny setbacks, but it's not productive to only focus on failure. Planetary boundaries are a metaphor that might be replaced by something new. You are suggesting that there is something more sinister at play. We need to make sure that the planetary boundaries issue is not swept under the carpet.

Ana Barreira López, Instituto Internacional de Derecho y Medio Ambiente, expressed concern regarding the rule of law, and the challenge of enforcement and implementation once decisions are made. **Mr. Steiner** responded that the courts are the final point of arbitration. However, if there is not an international convention that defines illegal trade, for example, you cannot have the foundation for enforcement. We need legal frameworks to enable public accountability. The national judicial system is the most practical venue for enforcement.

Lalanath de Silva, World Resources Institute, noted that UNEP's access to information policy, issued a few days ago, is behind the World Bank, Asian Development Bank, and other multilateral institutions. In particular, the restrictions on the right of access is much too broadly framed, the appeals process is not independent and there is no requirement to provide reasons for refusal of information rendering the entire process not accountable. I'm hopeful that UNEP will reconsider this policy and make necessary improvements. **Mr. Steiner** mentioned that UNEP has a deep commitment to Principle 10; however, the organization made a deliberate decision to go incrementally. UNEP announced a conservative policy under a one year pilot and invites MGS to weigh in and help us shape the future policy.

Essam Nada, Arab Network for Environment and Development, asked how we can ensure that the same mistakes on will not be made on SDGs as the MDGs. For example, it is not within the power of the Minister of Environment to promulgate decisions, but is the power of the whole country. **Mr. Steiner** answered stating information is power. While we can't require all governments outlaw lead and sulfur, showing laggards on a map provides surprisingly strong motivation for countries to take action.

Yunus Arikan, ICLEI – Local Governments for Sustainability, reiterated the role of local and subnational governments for effective implementation and their expectation to engage more actively with UNEA-2 which will coincide with HABITATIII in 2016. Highlighting the progress achieved with UN-Habitat, **Mr. Steiner** encouraged the networks of local governments to support these efforts and underlined that a successful UNEA-1 is important to guarantee trust and interest of stakeholders in future work of UNEA.

Eva Eiderström, Swedish Society for Nature Conservation and an Alternative Global Focal Point for the 10YFP, commented on the inconvenient planning and late cancellation of the 10YFP meeting in Paris. When expectations for MGS contributions are high, poor planning hinders CSOs' ability to contribute. **Mr. Steiner** added that Ms. Eiderström's feedback on the 10YFP was helpful and agreed that this is a work in progress.

Marlene C. Francia, IBON International, said that August 2014 marks the 3rd anniversary of the UNEP Report calling for the immediate environmental clean-up caused by the decades-long Shell operations that has affected health, food security and livelihoods in Ogoniland, Nigeria. This report has yet to be implemented and those who are responsible for the environmental degradation should be held accountable and do what is just and right. **Mr. Steiner** said while we cannot force the Nigerian government to implement the UNEP Report, we should all work together to solve this grave problem.

Mr. Steiner closed the session on a positive note, stating that never in his 8 years at UNEP, has he spent 2 hours that have been so substantive.



Summary and Adjournment

The meeting adjourned at 18:32.

Day Two: Sunday, 22 June 2014 in Nairobi**UNEA: High Level Segments***Facilitated by Representatives of Scientific and Technological Community MG***Speakers:**

- Environmental Rule of Law: Presentation by Elizabeth Mrema UNEP; comments by Daniel Magraw, Johns Hopkins University
- Sustainable Development Goals and Post-2015 Development Agenda: Presentation by Maryam Nyamir-Fuller, UNEP; comments by Sascha Gabizon, Women in Europe for a Common Future (WECF)
- Illegal Trade in Wildlife and Timber: Presentation by Neville Ash, UNEP; comments by Susan Brown, WWF International
- Financing Green Economy: Presentation by Peter Cruickshank, UNEP; comments by Brian Flannery, Business Green Economies Dialogue Initiative

Elizabeth Mrema, UNEP, opened the session contending that UNEA provides a global platform to promote implementation and enforcement through strengthened environmental rule of law. The Environmental Justice and Global Symposia will invite chief justices, attorneys and legal experts from around the world to identify ways to strengthen rule of law and environmental rule of law. There are several reasons for the strong emphasis on the environmental rule of law at UNEA:

- In recent months, there has been an effort to strengthen the environmental rule of law to combat illegal trade in wildlife.
- The on-going debates on human-rights are seeking to include principles of justice, sustainable development and environmental rule of law.
- Rule of law is crucial for UNEA and must be addressed in this context if the SDGs are to be achieved.

The importance of environmental rule of law in the context of sustainable development has been highlighted by the World Congress on Justice, Governance and Law for Environmental Sustainability. Over 150 of the world's chief justices contributed to the debate; however, the decision will remain unimplemented without rule of law. Decision 27/9 of the universal Governing Council urged UNEA to advance justice, governance and law for sustainability and recognize the importance of rule of law. Violations against the environment can be reduced and avoided with appropriate and strong rule of law. The rule of law is said to include inter alia adequate and implementable law, access to information, provisions for public participation, liability, and fair and just enforcement of human rights. Illegal trade in wildlife is depriving developing economies of development opportunities in billions of dollars.

Without an interpretation of human rights and environmental rule of law, sustainable development and the shift to the green economy will not succeed.

Daniel Magraw, Johns Hopkins University, provided comments on Ms. Mrema’s remarks. The rule of law must emphasize public participation and reference the need of adequate and implementable law. There are several proposed differences to conceptualize: the enforcement of law, a stronger enforcement mechanism adopted in a constitutional manner, a strong justification for adequate and implementable laws, and the inclusion of laws related to environmental protection. It will be a difficult task for the tribunal to determine what level of environmental protection meets and justifies a right to life.

Maryam Nyamir-Fuller, UNEP, presented on the current state of the creation of the sustainable development goals. Rio+20 was a historic meeting. UNEP developed a Post-2015 Concept Note on “how to” achieve an integrated agenda for the SDGs that builds on existing commitments, are measurable, smart and balanced with indicators and solutions-based targets, and three substantive principles:

- Leave no one behind. Life of dignity for all.
- Equality and prosperity within life support systems.
- Increase capital for greater resilience and intergenerational equality.

The OWG SDG Co-chair’s Zero Draft Document includes comprehensive coverage of key issues through 17 goals:

1. End poverty in all its forms everywhere
2. End hunger, achieve food security and adequate nutrition for all, and promote sustainable agriculture
3. Attain healthy life for all at all ages
4. Provide equitable and inclusive quality education and life-long learning opportunities for all
5. Attain gender equality, empower women and girls everywhere
6. Secure water and sanitation for all for a sustainable world
7. Ensure access to affordable, sustainable, and reliable modern energy services for all
8. Promote strong, inclusive and sustainable economic growth and decent work for all
9. Promote sustainable industrialization
10. Reduce inequality within and among countries
11. Build inclusive, safe and sustainable cities and human settlements
12. Promote sustainable consumption and production patterns
13. Promote actions at all levels to address climate change
14. Attain conservation and sustainable use of marine resources, oceans and seas
15. Protect and restore terrestrial ecosystems and halt all biodiversity loss
16. Achieve peaceful and inclusive societies, rule of law, effective and capable institutions
17. Strengthen and enhance the means of implementation and global partnership for sustainable development

These 17 goals cover all unfinished MDG agenda issues and address additional social and economic agendas, including social protection and inclusive/sustained/sustainable economic growth, employment, industrialization, and infrastructure. There is also good coverage of key environmental issues; however, some gaps remain, including chemicals and waste, marine debris, and dry lands issues.

There are challenges to the silo effect. For example, the environment is only covered in 25% of the goals, and concentrated in the “environmental goals.” Economic issues concentrated in the economic goals, with relevance to poverty and food. And social issues are concentrated in health, education, gender, and peace. There is insufficient integration of the environment into economic growth, employment, health, education and poverty goals, and of social and economic issues into oceans, biodiversity and ecosystems, and energy.

UNEA High-Level Segment dialogue on SDGs and the Post-2015 Agenda, including SCP, will focus on 7 concrete issues of relevance to an integrated approach to sustainable development, which are divided into the three substantive principles:

1. Poverty and sustainable rural economies
2. Poverty as a multi-dimensional issue: focus on universal coverage of sustainably-derived water and energy
3. Employment and SCP
4. Sustainable consumption
5. Healthy and clean environments
6. Restoration of natural assets
7. Long-lasting, low-carbon, resilient infrastructure, buildings and products

The UN Secretary General’s Synthesis Report to the UN General Assembly will build mainly on OWG SDG report, but also finance, UNEA, and other elements. The UN General Assembly will debate on the Post-2015 agenda from September 2014 to September 2015, which will culminate in the Post-2015 Summit in September 2015.

Sascha Gabizon, Women in Europe for a Common Future, commented on Ms. Nyamir-Fuller’s presentation on the SDGs, having just returned from the SDG negotiations in New York. The Sustainable Development Goals are an outcome of Rio+20 and seek to do better than the Millennium Development Goals. The MDGs are not sufficiently human rights-based, for example only 50% of the poor are to be addressed and only one of the goals addressed the environment. The current zero draft of the SDGs has identified 17 goals with over 100 sub-targets. However, this draft remains weak on chemicals and waste, dry lands, and environmental governance. Many Northern governments are pushing for a manageable number of succinct goals, and thus there is current pressure to reduce the current number of goals. Some very important goals may be lost, including inequalities, rule of law and peace, decent work, and climate change.

Her personal conclusion from last week’s negotiations is that 10 goals would be insufficient, 15 goals would be more appropriate. The co-chairs have also asked to reduce the number of targets per goal to 4 or 5. However, the biggest challenge is Means of Implementation. The G77 has started to address specific MOI per target. Some of the Northern countries have spoken up strongly against addressing MOI per goal, and even in general, which she is afraid may be very destructive and undo the important work that the OWG has done thus far. UNEA has an important charge to send a clear message to the last session of the OWG on SDGs.

Neville Ash, UNEP, presented on Illegal Trade in Wildlife and Timber. The scale of the crisis is dire. There is rapid and global escalation of illegal trade in some species, involving a wide range of flora and fauna. The consequences span environmental, social, security and economic implications. An estimated USD\$48-153 billion of resources is lost through illegal trade of wildlife, including timber and fisheries globally each year. Illegally sourced timber is estimated to represent 10-30% of the total global timber

trade. Of the illegally sourced wood entering EU and USA, approximately two-thirds is imported as paper, pulp and chips. Illegal trade in timber degrades forests, impedes sustainable development, promotes corruption, funds armed conflict and impacts local communities.

Illegal trade in wildlife and timber has significant impacts on the economy. (See table below.) There is increasing evidence linking wildlife trade to organized crime networks and threat finance and illegal trade in wildlife and timber is the world's fourth largest illicit trade.

Huge economics impacts from theft of natural capital

Environmental crime	Annual loss of resources
Illegal trade and poaching of other fauna and flora	USD 7-23 billion
Illegal fisheries	USD 11-30 billion
Illegal logging and trade	USD 30-100 billion
Total illegal trade in wildlife	USD 48 – 153 billion
Annual ODA	Ca. 135 billion

Source: Presentation by Neville Ash, UNEP. (2014) "Illegal Trade in Wildlife: an Environmental, Economic and Security Challenge to be considered by UNEA" Available at: <http://www.unep.org/civil-society/Portals/24105/documents/Civil%20Society%20prior%20to%20EoE/June21st/june22/Draft_IWT%20at%20MGSF_22nd%20June%20Neville%20Ash.pdf>.

Illegal trade in wildlife and timber provides a multidimensional challenge. For example, it is a barrier to sustainable development and exhibits a complex combination of weak governance, unregulated trade, loopholes, laundering systems, sophisticated transnational crime and demand. Additionally, it undermines government institutions and rule of law. Environmental, economic and social impacts of illegal trade in wildlife and timber can only be effectively tackled through coordinated efforts of the international community, national governments, police, law enforcement agencies, and civil society. These efforts must address all elements of the supply chain.

There are three inter-related components that are considered priorities for UNEP collaborative action:

1. Maintaining political momentum, including through strengthening the evidence base
2. Providing support to legal, judicial and enforcement measures and promoting capacity development for rule of law
3. Strengthening international efforts to develop and catalyze demand reduction strategies

Susan Brown, WWF International, provided comments on Mr. Ash's presentation. To encourage the ministers to get engaged on this important topic and do some tangible things, we must ask governments to provide their commitments to combating international illegal trade and wildlife crime. WWF calls for UNEA and Minister of Environment to convey the following recommendations to the Open Working Group on Sustainable Development Goals to:

- Strengthen the environmental dimension of the poverty eradication, economic development and industrialization goals, including through a target on environmental and social accounting;
- Call to keep a transformational target on biodiversity conservation under a poverty eradication goal (target 1.8 of the 2 June 2014 co-chair's zero draft);

- Call for the Open Working Group on Sustainable Development Goals (OWG on SDGs) to integrate the three dimensions of Sustainable Development under each of the goals;
- Recognize that biodiversity and ecosystems underpin sustainable development and reflect this through strong cross-cutting targets throughout all goals;
- Keep biodiversity and oceans as two separate goals;
- Include targets reflecting the importance of biodiversity ecosystem services and environmental and social safeguards, water and energy efficiency as well as resilience to climate change under food security and sustainable agriculture goal;
- Include climate related targets under all relevant goals with particular attention to poverty eradication, economic growth and industrialization;
- Recognize the importance of healthy freshwater ecosystems under a water goal;
- Increase the ambition on clean and renewable energy as well as energy efficiency under an energy goal; and
- Include a target on eliminating all energy, agriculture and fishery subsidies that encourage unsustainable production and consumption practices, with appropriate measures taken to offset any regressive impacts.

Peter Cruickshank, UNEP, presented on financing the green economy. The green economy will be driven by the public and private sectors. With the global population expected to increase to 9 billion people by 2050, it is uncertain how the planet's resources will be able to accommodate this capacity. A financial structure, to support to transactions, the public and private sectors, and market-based approach are crucial to facilitating the green economy. In an effort to inspire and guide UNEA participants to shaping the financial system for the green economy, UNEP will be hosting a Symposium on the Green Economy. The symposium will elucidate what countries and companies are doing to promote the green economy and what assistance is needed.

Brian Flannery, Business Green Economies Dialogue Initiative, commented on Mr. Cruickshank's presentation. The economy is the arena in which goods and services are produced and consumed, where wealth is created and deployed. Progress must involve the entire economy, including all sectors and across all supply and value chains. Greening the economy is a process, not an outcome, and the challenges of facilitating the green economy will evolve over time. When people say, "Business as usual," it implies continuous change. Business will be the primary source of innovation and global deployment of advanced technology, finance and expertise to address global challenges. Green economy policies must mobilize sustained business efforts and will require sound, enabling frameworks that promote investment, innovation and account for "green" externalities.

The private sector's role is to create goods and services that meet demand—business to consumer, business to business, and business to government. The private sector also grows shareholders and societal wealth, creates jobs, and drives investment. There are several investment drivers of economic growth, including productivity, turnover of capital stock, health, safety and environment improvements, risk management, and strategic change through innovation. The drivers of "green" economic growth are efficiency (energy, water, resource and waste), consumer demand and preference, reputation, and policy and regulation. However, policy and regulatory uncertainty, missing infrastructure, missing capacity and skills, and permitting delays are among investment inhibitors. The private sector functions best in a market-based economy, in which companies bear the risks and benefits from investment choices.

The government's role is to establish a stable policy and regulatory environment, build societal capacity, and create enabling frameworks. A proper enabling framework is an essential precondition for investment; however, this alone is not enough. Projects must also generate economic returns. Inadequate returns force firms to seek alternative approaches, defer decisions, or reject projects. Effective policies will need to work with mainstream project investment and finance processes, and with local and national approval processes. Business seeks sufficient clarity to plan, propose and implement projects with confidence that they will be commercially viable and proceed in a timely fashion. The key issue to financing the green economy is not raising funds, but ensuring confidence in returns from successful projects.

UNEA: Common Statement – Conclusion

Facilitated by Representatives of Farmers MG



Calvin James, Representative, Farmers Major Group, presented the common statement content developed by the drafting working group. The drafting team has included most inputs from the morning, notably adding human rights-based approach to development. Below, is the full text of the final statement:

Common Statement to UNEA by the Global Major Groups and Stakeholder Forum

The Global Major Groups and Stakeholders Forum acknowledges the historic significance of this first United Nations Environment Assembly of the UN Environment Programme. We join with everyone gathered here in celebrating this momentous event.

UNEA must be understood in the context of the dire environmental crisis facing our planet, a crisis that is pressing the boundaries of the planet's physical capacity to sustain a life of dignity for all. We must confront our common responsibility to resolve the severe challenges that face our generation. We therefore urge UNEA to deliver a bold, forward-looking and meaningful outcome that can be implemented in a timely and effective way.

We welcome UNEA's agenda, including the need to address the global challenges involved in Environmental Rule of Law, Sustainable Development Goals, and Illegal Trade in Wildlife and Timber. We underscore the centrality of a human rights-based approach as well as a science-based approach to UNEA's work, in order to transition toward a paradigm of harmony with nature. Special attention is due to the needs of Indigenous Peoples and communities in vulnerable situations. We call on Ministers and Delegates at UNEA to commit to the full implementation of UNEA's outcomes.

UNEP's mandate is key to safeguarding the global environment. Forty years of experience shows that UNEP can only deliver on its mandate by working in partnership with civil society. A robust and inclusive policy on stakeholder engagement is critical to enable this partnership. We are deeply concerned about

the risk of regression from certain good practices on stakeholder participation at UNEP that have also been reflected in the UN General Assembly resolution (67/290) establishing the high level political forum on sustainable development. We are also concerned by the serious inadequacies in UNEP's new access to information policy because the grounds for refusal are too broad, the appeals panel is not independent and decision-making is not accountable. We expect UNEA to adopt rules of procedure that will enable meaningful and effective civil society engagement.

To conclude, we have great expectations for UNEA. We are fully committed to making UNEA an historic opportunity for the international community to come and work together, to respond with vision and determination to the hopes and aspirations of humanity. We cannot despair. We cannot give up. We all deserve a life of dignity and we demand respect for our right to live in a healthy environment. We all have a responsibility to our children, future generations and the totality of life on the planet.

UNEA: Clusters Breakout Session

Facilitated by Thematic Cluster Facilitators

Final Thematic Clusters and Facilitators

UNEA High Level Themes

- Environmental Rule of Law – Stephen Sec
- Green Economy/Financing for the Environment – Alice Odingo
- Illegal Trade in Timber and Wildlife – John Hontelez
- SDGs & Post-2015/Sustainable Consumption and Production – Nhattan Nguyen and Anabella Rosemberg

UNEA Decisions

- Rules of Procedure/Stakeholder Engagement Policy – Jan-Gustav Strandenaes
- Science and Policy Interface – Peter Denton
- Chemicals and Waste/Marine Plastic Debris – Laura Martin
- Ecosystem-based Adaptation – Ken Mwathe
- Air Quality – Yunus Arikan

****Thematic Cluster Breakouts****

UNEA: Cluster Facilitators Report to the Plenary and Discussion

Facilitated by Representatives of Women MG and Representatives of Workers and Trade Unions MG



Alice Odingo, Representative, Women Major Group, explained that the individual thematic clusters have been working in breakouts to develop key messages for UNEA. The intended outcome of the clusters was not to develop a common statement on behalf of all of the Major Groups, but to

collaborate to identify the priorities for each topic to be discussed at UNEA. Many of the thematic clusters developed main messages for consideration during UNEA, which may be found below:

Thematic Cluster Statement on the Environmental Rule of Law: Symposium on Environmental Rule of Law

On 21-22 June 2014, 95 participants took part in the Global Major Groups and Stakeholders Forum in Nairobi, Kenya, and considered among other matters the Environmental Rule of Law. Participants discussed aspects of environmental rule of law, including environmental democracy, the human rights and environment linkage, the role of judges, prosecutors, environmental public interest lawyers and other legal professionals, and multi-level environmental rule of law including compliance mechanisms on the international level. The Forum also took note of the fact that more than 900 environmental defenders have lost their lives over the last decade.

Participants acknowledged and supported UNEP's work in this area including GC decision 27/9 on "advancing justice, governance and law for environmental sustainability," and its series of Symposia on environmental rule of law. This is progress, but it is not enough. All Major Groups except Business and Industry joined in making the following statement.

We call upon UNEA to:

1. Strengthen the links between environment, sustainable development and the Rule of Law, particularly in the context of the SDGs.
2. Support UNEP's efforts to strengthen the judiciaries, prosecutors, and public interest environmental lawyers.
3. Encourage states to apply the Bali Guidelines on Rio Principle 10.
4. Request states to commit to protect and respect fundamental rights, particularly the right to a healthy environment, and should instruct UNEP to cooperate with the UN Human Rights Council.
5. Strengthen compliance mechanisms for multilateral environmental agreements, particularly the right of the public to bring forward communications.
6. Assist states to share experience and good practices on application of environmental rule of law on the national level, and increase dedication of resources to capacity building and enforcement.
7. Strengthen application of the "environmental Rule of Law" to business enterprises, through binding international legal instruments, to hold corporations accountable for their environmental and human rights violations, taking into account existing frameworks for cooperation.
8. Improve environmental governance in general, and especially access to information, public participation and access to justice, as essential to the Rule of Law.

Thematic Cluster Message on Green Economy and Financing for the Environment

In this statement, the Major Groups (MG) are guided by principles that determine sources of funds for Green Economy (GE) (whether from the government, Business, Public Private Partnerships (PPP) or any other source); the criteria for using the funds; tracking of finances spent on green financing, and availability of space for stakeholder input.

We, the MG are concerned that Green Economy remains difficult to define and understand. The term is still resisted by some developing countries as it is perceived to be new, expensive and a barrier to developing country industrialization due to different priorities for GE in different countries. The MG is concerned with the current existing barriers to GE, whereby, many Multinational Corporations are involved in forest destruction in developing countries for energy, yet energy efficiency and resource use efficiency is still being ignored. Additional competition for financial resources exists between small-scale and large-scale renewable energy companies, with the use of plant oils in Africa presenting serious implications for food security, in a continent still considered basically 'green'. We propose a new model of Green economy that would support sustainable development and poverty eradication, resource use efficiency, payment for ecosystem services, natural capital and green technologies and jobs that do not affect but enhance livelihoods of the poor.

Further, we recommend that Green Economy in developing countries to be defined as an instrument to support sustainable development and poverty eradication and Harmful subsidies, including fossil fuels, agriculture, and other perverse incentives identified and stopped. We further recommend that equality and equity become important principles for the Green Economy concept, with ecosystem capital forming an integral component of Green Economy by considering overuse of natural and financial resources, without commoditization of nature. We propose that in defining GE, 'dual sustainability' be regarded as a term to explain that developed and developing countries require different strategies for green economy. We further propose that the definition and goals of GE be clarified and contextualized and not be seen as a single model for GE but diverse and rights-based green economies, with the definition and goals of sustainable development remaining within the planetary boundaries.

Financing the Environment/GE

The MG would like to propose that in mobilizing the funds for GE, the Ministries of Finance and Economic planning should be part and parcel of this important process to support the efforts by the Ministers of Environment. Secondly, a substantial amount of funds should be directed to 'green' financing, investment in small scale projects on solar energy, and other renewable energy uses are needed, accompanied by Pilot green sustainable technology projects.

We recommend corporate and financial reforms that would regulate financial markets, ensure corporate taxation in all countries as well as corporate liability and redress for damage to human rights and environment, and recognize human rights as a priority for investment and in changing bilateral investment treaties. We further recommend Global Corporate Responsibility and Accountability, with special attention to women's human rights.

Thematic Cluster Message on Illegal Trade in Timber and Wildlife

We applaud the decision to have a Ministerial Dialogue on Illegal Trade in Wildlife, including fisheries and timber. We thank the UNEP Secretariat for its Information document called "Illegal trade in wildlife: the environmental, social and economic consequences for sustainable development" (UNEP/EA.1/INF/19) and call upon everyone to take good note of its content and suggestions.

It is important to consider different approaches for addressing illegal harvesting and poaching for subsistence reasons, in particular, in the context of poor rural populations that may have no real alternatives, as opposed to individuals or organised groups extracting protected and regulated natural resources for profit. Where poverty and lack of alternatives push people into illegal behaviour,

enforcement needs to be accompanied with targeted action to provide alternatives (such as social protection schemes to sustain the jobs and livelihoods of those affected, and economic diversification policies) and, where illegal activities have no specific negative impacts on biodiversity and/or the livelihood of others, reforms to legalize justified behaviours. On the other hand, extraction of protected species and resources for profit needs to be addressed with determined and effective action, with appropriate international cooperation, where relevant. Many of the products from the illegal trade goes across borders, so governments and civil society of importing countries have to take equally strong action to cut off demand as source countries are to do in enforcement, interdiction, prosecution, and regulation.

Furthermore, legal trade is not necessarily sustainable trade and there is growing evidence that marked declines are occurring in a wide range of species as well degradation of ecosystems and their function despite well-intentioned existing regulation. Habitats and natural ecosystems are often not sufficiently protected by existing (domestic and international) laws, nor are the social rights and development opportunities of the people most directly dependent on forests, reefs, and other vulnerable ecosystems. Fighting illegal trade is important, but should be done in conjunction with reforming and improving the national policies to prevent further degradation of biodiversity and natural habitats as well as respecting the rights and role of traditional communities and indigenous peoples that rely heavily upon ecosystem services. Also to guarantee the survival of indigenous peoples, living in harmony with nature.

For such reforms being effective, they require public support so multi-stakeholder processes to involve civil society are essential.

The urgency of fighting illegal trade in wildlife

We concur with the UNEP analysis that illegal trade in wildlife, including fisheries and timber, is a rapidly growing and highly significant problem in many countries around the world and on the high seas, threatening the extinction of species, degrading ecosystems, undermining the livelihoods of people depending on such ecosystems and eroding security, rule of law, exacerbating and entrenching poverty, and derailing sustainable economic development.

An essential element of this trade is that it is illegal, violating international agreements and national laws of the countries of origin and transit. The first focus should be on ensuring compliance with the laws. This is a combination of support from civil society for these laws, corporate responsibility, and government enforcement at all levels. However, illegal trade is difficult to root out as long as there is demand, so action to prevent such demand is important as well.

Barriers for effective enforcement need to be addressed:

- Lack of political priority: the social, economic, environmental and security impacts of illegal trade need to be highlighted to mobilize dramatically increased political, business and societal support for good and effective wildlife governance and adequately resourced effective enforcement.
- Ineffective agencies: The enforcement agencies have to be well trained and equipped, up to date with the various techniques of organised crime, illegal extractions, laundering illegally acquired wildlife or timber through the supply chain.
 - Lack of cooperation between authorities: National multi-agency cooperation, such as in National Environmental Security Task Forces (NEST), as recommended by INTERPOL, should

resolve this. Such cooperation should include police, customs, environmental agencies, other specialized agencies, environmental agencies, other specialized agencies, prosecutors, non-governmental organizations and intergovernmental partners.

- Legal weaknesses: Where legislation is contradictory, insufficient or unnecessarily complex, legal reform needs to be undertaken.
- Lack of local engagement: Partnering up with local and sub-national governments can significantly support legal enforcement at the national level. Through their specific capacities and competencies as governmental stakeholders, they can contribute planning, implementation, monitoring of relevant actions.
Lack of social accompanying measures to provide livelihood alternatives to illegal loggers/fisher folks.
- Lack of cross-border cooperation: Enforcement authorities of neighboring countries need to agree on systematic cooperation and rapid interventions.
- Lack of support from consumer countries: Consumer countries need to adopt legislation prohibiting trade and use of (products from) poached wildlife or illegally harvested timber. Good examples are the EU Timber Regulation and the US Lacey Act. Where such laws exist, the enforcement activities have to be stepped up dramatically
- Lack of serious consequences: penalties have to be effective, proportionate and dissuasive, and courts must have the means to respond promptly and with maximum transparency, also to create further dissuasive impacts such as image and reputation loss amongst peers, customers and public.

Addressing demand is a responsibility for all

Where products are of clearly illegal origin, consumers need to be made liable directly. However, in many cases, such as pulp and paper, fuel wood or charcoal, this is not obvious. Processing industries that are attracted by the lower prices of the offered materials undermine the competitiveness of legally and certainly sustainably produced materials. Both processing industries and end consumers can play an essential role in closing markets for illegal products by requiring legality verification and transparent chain of custody certification. Valid CITES licenses are an obvious example, but also certified or legality verified timber and timber products.

- We, therefore, call upon governments in all countries to introduce, at all levels of government, public procurement rules and initiatives to ensure legal origins of relevant products. They can identify reliable private schemes, such as FSC and MSC, and where these are absent, require from suppliers specific due diligence practices to certify legal origins.
- In relation to the general public, governments can initiate or support awareness campaigns. In this regard, we emphasize the proximity of local and subnational governments to citizens, enabling tailored-cut campaigns to target different communities and sectors.

International cooperation is essential.

Much of the illegal trade in wildlife and timber is international. To fight this effectively, international cooperation is essential, including by making trade and use of poached or illegally harvested materials illegal outside the country of origin.

Furthermore, it is a reality that the countries of origin have specific challenges in meeting with the enforcement requirements and need support (inter alia) from the consumer countries in terms of intelligence sharing, trainings, and technical and financial support.

Successfully combating illegal trade in wildlife would become an outstanding precedent for protecting global biodiversity through the compliance with international agreements and with transboundary conservation policies and mutual support for effective domestic policy coherence.

- We strongly recommend the cooperation with relevant governmental and non- governmental expert organizations and multilevel governments to improve the effectiveness and complement the national efforts.
The UN should ensure coordinated effort and avoid duplication between ongoing initiatives.
- We call upon governments to support the United Nations Office on Drug and Crime (UNODC) by feeding in the environmental perspective of illicit wildlife trafficking.
- We call upon governments to support International Consortium on Combating Wildlife Crime (ICWC) by feeding in the environmental perspective of illicit wildlife trafficking
- We call upon governments to strengthen the LEAF project run by Interpol and UNEP, and use its special services systematically to identify specific techniques of laundering illegal products and training enforcement officers, including in international cooperation.
- We welcome the decisive decisions adopted by CITES Parties on combating illegal wildlife trade at its 16th meeting of the Conference of the Parties in 2013; and call upon Parties to fully implement this and other CITES decisions.
- We invite Member States to consider the advisability of a protocol on “Illicit trade in wildlife, including fisheries and forest crime” under the UN Convention against Transnational Organized Crime (UNTOC) in order to provide clarity to Parties concerning definitions of illegal wildlife trade, jurisdiction and steps required at the national level.
- We call for stepping up international cooperation to investigate and uncover financial flows in relation to illicit wildlife trafficking and illegal timber trade.
- We call for a yearly report on illicit wildlife trafficking to be prepared by the United Nations Office on Drugs and Crime in consultation with ICWC.
- We call upon governments and concerned international bodies to make verifiable and reliable data available on the Illegal Trade in Wildlife, including fisheries and timber in line with principle 10.
- We call upon on UNEP and international concerned bodies to develop scientific indicators to better monitor/compare progress in this area.

Mainstream the fight against illegal trade in wildlife and timber

The dimension of this trade justifies putting and maintaining this subject on the agenda of the UN and its activities to promote peace and security, poverty eradication, and sustainable development. In particular, UNEP can play a role in feeding the subject into existing processes through a perspective on environmental impacts of this trade.

- We call for the UN General Assembly to pass a resolution on Illicit Wildlife Trafficking. The UNGA Resolution should call for a Programme of Action to strengthen cooperation between source, transit and destination states, strengthen institutional linkages and support existing mechanisms (such as the International Consortium for Combating Wildlife Crime (ICWC), and initiatives such as the Wildlife Enforcement Networks (WENs).

- We call for the appointment of a Special Representative to the Secretary-General.

Finally, we call upon the integration of a specific target, complemented with indicators in the Sustainable Development Goals. The June 2nd Co-chairs proposal included the following text: “end poaching and trafficking of endangered species, and end demand and supply of illegal wildlife products.”

We propose to amend this in the following way: “End poaching of wildlife and illegal logging in forests, with specific measures to tackle this problem both at the supply and demand sides, including through international cooperation, also by creating synergies between different levels of government and stakeholders at achieving sustainable development”.

Thematic Cluster Message on SDGs & Post-2015, including Sustainable Consumption and Production

The following Major Groups have endorsed this statement during the GMGSF: Children and Youth, Farmers, Indigenous Peoples, Local Authorities, NGOs, Science and Technology, Women and Workers and Trade Unions.

Major Groups and Stakeholders described above ask UNEA delegates to take into account the following demands as part of the upcoming Ministerial discussions on SDG & Post 2015:

1. Sustainable development goals must enshrine the three dimensions of sustainability in each one of the goals. A siloed uni-dimensional approach will not be able to address the complexity of sustainable development challenges. Environmental dimension must be factored in all SDGs, including through the underpinning targets and indicators.
2. Concrete examples include the promotion of environmentally-sound infrastructure within the economic goals, of green jobs within the goal on decent work, of elimination of hazardous pesticides in the goal on food security, of clean and sustainable energy inside the goal on energy, among a few examples.
3. Natural resources and biodiversity provide the foundation for our societies and economies. Development and prosperity will not be achieved if these are not secured. Natural resources must be shared equitably so that we can achieve intra and intergenerational equity. We have the responsibility to protect this endowment for future generations, but we are also convinced that there is an opportunity for prosperity and economic and social progress in the responsible stewardship of our environment.
4. Negotiations underway on Sustainable Development Goals show there is a need for a strong voice from environment ministers in order to avoid the clustering into a single environmental goal, which encompasses a broad list of environmental challenges and reinforces ‘siloization’. This must not be taken as the solution for reducing the absolute number of SDGs.

On SDGs principles,

5. Universality is crucial for achieving the SDGs worldwide. All countries have the obligation to fulfil the goals based on their national realities, capacities and levels of development, with the full engagement of all levels of governments.
6. Strong review mechanisms and accountability will be a key driver for delivering results.
7. There is a need to resolve the potential conflict which could emerge from support for “growth” as still advocated in the zero draft of the OWG, with other sustainability goals.
8. The concept of planetary boundaries, the need for a human-rights based approach as well as the need for an urgent decoupling of natural resource use from economic well-being must provide the intellectual framework for SDGs design and implementation.

Thematic Cluster Message on Rules of Procedure and Stakeholder Engagement Policy

We have two documents to pay attention to:

- One on Policy on Stakeholder Engagement
- One on Rule 69 of Rules of Procedure of the United Nations Environment Assembly of the United Nations Environment Programme - Chapter XIII. Observers of international non-governmental organizations

Our concerns in the policy document, following paragraphs:

- Accreditation criteria and process: Paragraphs 11 – 16
- Privileges of accredited stakeholders: Paragraphs 17 – 18
- E - Responsibilities and obligations of accredited stakeholders: Paragraph 19
- Other matters: Paragraphs 20 – 28

Concerns:

- Paragraph 12: Accreditation will be granted to stakeholders meeting the following criteria as set out in the Rules of procedure (See Rule 69.)
Paragraph: 12-3: Having a proven interest in environmental issues and/or sustainable development
- Paragraph 13: Accreditation with ECOSOC (and/or MEAs)
- Paragraph 15: The UNEP secretariat will review the requests and notify applicants of their accreditation. The entire review process will take no longer than three months. The list of accredited organizations will be submitted to the regular session of the Assembly (for review) (for information)

The problem is:

- The Assembly meets every 2 years
- Worst case waiting – 2 – 4 years
- No disclosure of process
- No appeal position for the NGOs that are rejected
- Does the Assembly have final say? What kind of objection? Is the burden of proof somewhere?
- Why not OECPR to see the list for information?

What does the UN state as minimum standard? ECOSOC 1996/31

- 46. The secretariat shall publish and disseminate to Member States on a periodic basis the updated list of applications received. Member States may submit comments on any of the applications on the list 14 days from receipt of the above-mentioned list by Member States. The comments of Member States shall be communicated to the non-governmental organization concerned, which shall have the opportunity to respond.
- Current paragraph 15: The UNEP secretariat will review the requests and notify applicants of their accreditation. The entire review process will take no longer than three months. The list of accredited organizations will be submitted to the regular session of the Assembly [for review].

Suggested revision:

- Paragraph 15: The UNEP secretariat will review the requests and notify applicants of their accreditation [, and if denied accreditation, outline the formal appeals process]. The entire

review process will take no longer than three months. The list of accredited organizations [and those organizations appealing a denial of accreditation] will be submitted to the regular session of the OECPR Assembly [for review information].

Concerns:

- Paragraph 18 d: Accredited stakeholders will have access to documents publicly available on the UNEP website and portals; official documents and reports of UNEP, and documentation related to the work of the Assembly and its subsidiary organs (including pre-session and in-session documents.)
- The UNEP secretariat will make every effort to provide access to such document in a timely manner, using electronic and other modern information systems to facilitate delivery. Accredited stakeholders will be granted access to relevant information portals (according to the UNEP policy on access to information).The UNEP secretariat will ensure that input received from major groups and stakeholders will be made available on the relevant web portals.
- E – Consultation with the bureau of the UN Environment Assembly and its subsidiary organs: The bureau of the Assembly and its subsidiary organs may hold informal consultations with representatives of accredited stakeholders on specific items of mutual interest relating to Assembly processes
- Rule 69: Paragraph 1 Talks about deciding a Stakeholders Engagement Policy with UNEA and its subsidiary organs; ECOSOC accreditation is accepted but MEA accreditation problematic.

NGOs must be:

- Legally constituted and not for profit Issue with legally constituted
- Must be active more than 2 years
- Proven track record on environment/sustainable development
- The term is 6 years (now unregulated)
- The secretariat shall prepare a list of new NGOs and other stakeholders seeking accreditation; a consultation process, upon request, between the concerned member states and the secretariat regarding the fulfilment of the accreditation criteria shall take place for one month after the OECPR (March?) concludes its meeting and before the next session of the Assembly 4 access and attendance: Paragraph reflects the language in paragraph 15 of resolution 67/290 establishing the HLPF. But these words are bracketed: And its subsidiary organs.

Thematic Cluster Message on Science and Policy Interface

There are several issues of significance to Major Groups and Stakeholders in Draft Decision #5, Omnibus Decision on Science-Policy Interface. These issues also relate to the program of work and budget reflected in Draft Decisions #1 and #2. Due to the need first to seek clarification about the UNEP budget and program of work and second to learn something of the reasons for the bracketed text in Decision #5, the cluster did not as yet produce a statement or recommendations. Simply put, we need to do more research.

When this research has been completed, the Science and Technology Major Group will take the lead in drafting intervention(s) and/or statements, inviting other Major Groups and Regional Representatives to provide input and to indicate their support for the final text(s).

We do, however, have some preliminary observations and comments:

First, with respect to budget and program of work reflected in Draft Decisions #1 and #2: While we applaud the significant increase in the UNEP budget in terms of its percentage of the UN budget (reversing a trend of more than 30 years), we wonder if it is enough to enable a newly-expanded UNEP to fulfill its increased roles and responsibilities. We also wonder if the monies allocated are directed in sufficient amounts toward activities intended to increase the flow of scientific data that underpins policy development and analysis. This reflects our concern that good science be central to the work of UNEP.

Second, with respect to Draft Decision #5: We note the large amount of bracketed text and wonder whether a working group will be established to resolve the substantive issues remaining and therefore bracketed in the current draft (as of the OECP, 28 March 2014).

Third, to highlight concerns with the bracketed text, we want to monitor the following issues on behalf of the MGS:

- a. Will the decisions taken in this omnibus be effective in increasing the amount, quality and accessibility of scientific information that is crucial to UNEP fulfilling its environmental mandate?
- b. The clarification of UNEP's role in science policy formulation, or its recommendations toward science policy formulation by member states and other actors, is essential. Some of the bracketed text suggests a purely informational role for UNEP, something that does not fit with the reciprocal nature of the science-policy interface.
- c. The importance and necessity of major groups and stakeholders' involvement with the multilateral consultation process toward GEO 6 is indicated in bracketed text. We wonder if the ways and means will be clarified as the process unfolds, or if there is a dispute as to whether or not civil society will be allowed to participate in meaningful substantive and effective ways.
- d. Similarly, language emphasizing stakeholder engagement is bracketed in the text relating to UNEP LIVE. In addition to this concern, the scope, nature and funding of UNEP LIVE and its relationship to the GEO 6 process has apparently yet to be finalized, given the brackets still remaining.
- e. Finally, given the number of tasks required of the Executive Director in this draft decision, we would return to the issue of capacity within UNEP to accomplish such tasks at the ED's direction in a timely and effective manner. Is the current funding sufficient to ensure the human and other resources required?

Depending on the results of our research and the circumstances of discussions on these issues, members of the thematic cluster will work with the Science and Technology Major Group to keep other MGS apprised of progress and any particular need for some collective intervention.

Thematic Cluster Message on Chemicals & Waste and Marine Plastic Debris

All major groups consider sustainable management of chemicals a key issue for achieving a sustainable development and welcome this particular discussion at the historic time of the First UNEA. All groups welcome the report from the Executive Director and the draft resolution.

All major groups call for the achievement of the Johannesburg Plan of implementation and the Future we want goals aiming to achieve, by 2020, the sound management of chemicals throughout their life cycle and of hazardous waste in ways that lead to minimization of significant adverse effects on human health and the environment. We all call for greater political attention in order to achieve this important goal and commit to further action.

Achieving sustainable management of chemicals is a fundamental part of sustainable development, thus it has to be an ongoing effort. In that sense and additionally to highlighting the need to achieve the 2020 goal all major groups call for also an approach that goes beyond 2020 and welcome the discussion that has been opened in this direction.

Achieving a sustainable management of chemicals needs its mainstreaming into local, national, subnational, regional and international policies and strategies.

All major groups welcome the recognition that both the Executive Director's Report and the draft resolution on the importance of multistakeholder approaches, we all are convinced that our involvement on policy design and implementation is fundamental in the area, and we reiterate our commitment to contribute to the achievement of mentioned 2020 goal.

WOMEN, NGOS, TRADE UNIONS, FARMERS, LOCAL AUTHORITIES

These groups see with concern the slow path for advancement on the issue, and call on governments and UNEP to accelerate efforts. Time is not on our side. They are concerned by the increasing size of the challenge, lack of information on risks to health and the environment of an increasing number of substances, and lack of capacity of many developing countries to advance on environmentally sound management of chemicals. The objective is to achieve the sound management of chemicals throughout their life cycle and of minimization of waste by 2020.

They call on governments to accelerate much more the development, implementation and enforcement of national legislative and policy frameworks, including designating the responsibilities of industry, such as the internationalization of costs among others.

They all see with concern the lack of integration of a sustainable management of chemicals in the current discussions and the current OWG draft on the SDGs. They want to call on governments to better mainstream the issue on different goals, such as for example the elimination of most hazardous pesticides under the food security goal.

Focus has to be put into access to information and transparency. They share the belief that the lack of complete information on impacts on health and the environment is the main challenge for a sustainable management of chemicals. Women, children, workers, farmers, poor communities do not have enough information on impacts on health and the environment on the substances they use or consume and they die from it.

Mechanisms for accountability should be put in place for those responsible for massive chemical waste pollution that has degraded the environment and impacted the livelihood, health, and food security of the people denying them a life of dignity. These mechanisms will be key towards realizing the 2020 goal.

Finance is of course essential. Decisions have to agree on ensuring access to adequate, sustainable and predictable finance for a long term approach. They call governments to honor their commitments by contributing financially to the different funds including, QSP the new Special Programme Trust Fund and others. They call them to commit and honor their commitments.

Lastly, access to finance for NGOs initiatives has to be part of all funds dealing with the issue.

Unfortunately is not the case in current draft Terms of Reference for the Special Program Trust Fund.

BUSINESS AND INDUSTRY

Business and Industry welcome the report from the ED. They believe is crucial to continue the work towards the 2020 goal and setting a path for long term approaches beyond 2020.

Multistakeholder approaches and common search for solutions are very important, and welcomes its mentions in the report and draft decisions.

Business and Industry recognize that funding is important and are confident that it will be mobilized.

They believe that the new Special Programme is very much needed for the countries that lack capacity.

They agree with the mentions to SDGs as stated in the draft decisions as they did not consider this forum for discussing particular targets or objectives.

MARINE PLASTIC DEBRIS AND MICRO PLATIC

BUSSINESS AND INDUSTRY, WOMEN, TRADE UNIONS, NGOS, LOCAL AUTHORITIES

Agree that marine debris is an important issue, which requires global attention in addition to action by all stakeholders at national and regional levels.

Agree plastics and other forms of marine debris should not be in the oceans.

Support efforts to reduce or eliminate marine debris from both ocean-based and land-based sources.

NGOs, WOMEN AND TRADE UNIONS

Believe that immediate action has to be taken and welcome the resolution. Growing concern and threaten to ocean animal life. Action on plastics is important because they make up at least 60% or marine debris. As other waste problems, production has to incorporate from its design this growing concern.

They call on governments to raise awareness of the problem among all stakeholders and general public. Chemical leachate from plastics into the sea water transfers to fish and other marine organisms. Small Island Developing States are vulnerable due to the reliance on seafood and subsequent impact on their health, and their problems have to be highlighted.

FARMERS MAJOR GROUP

The Farmers Major Group welcomes UNEA resolution/ decision number 9 on Marine Plastic Debris and Micro Plastics. Many studies on marine debris have shown that plastic consistently make up 60 to 80% of all marine debris.

They want to call also for the recognition of Abandoned, Lost or otherwise Discarded Fishing Gear (ALDFS) as important parts of marine debris based on its adverse impacts on marine biodiversity through both habitat disturbance and the effects of ghost fishing.

They also call for the recognition of Marine Protected Areas (MPAs) as the most effective route to protecting, and restoring the health, productivity and resilience of oceans and marine eco-systems and an existing global commitment to achieve significant reductions in marine debris to prevent harm to the coastal and marine environment by 2025.

BUSSINESS

Business would like to see not only plastic but all forms of marine waste included in the resolution.

Thematic Cluster Message on Ecosystem based Adaptation to Climate Change: Global Major Groups and Stakeholders Forum

1. We recognize anthropogenic changes to global climate and our species reaching and surpassing multiple planetary boundaries are having a significant impact on the function and resilience of natural ecosystems and the critical ecosystem services they provide to all living things, including humans. Continued and accelerating degradation of our life-sustaining biosphere requires that we urgently address the issues that are driving climate change and ecological disruption.
2. We recognize humankind depends on ecosystem services to meet its needs and therefore there is need to ensure availability, continuity, and just, moral, and equal access to ecosystem-based services.
3. We welcome the initiative of Uganda and Zimbabwe on putting forward the Draft Decision 7 on Ecosystem Based Adaptation to Climate Change (EbA).
4. We affirm that ecosystem-based approaches to adaptation – the use of biodiversity and ecosystem services to help people adapt to climate change - are crucial to reduce vulnerability to climate change impacts and increase communities' resilience. They are nature based solutions that can be cost effective and pro-poor, and connect communities with nature. The Ecosystem-based adaptation approach can strengthen natural values and economic activities in the most vulnerable territories, valuing tradition knowledge, and integrated territorial land planning and resources management.
5. We consider that resilience must be addressed in both ecological aspects and socioeconomic sectors such as agriculture and livestock, biodiversity, water and waste management, forestry, (industry), services and trade, transport, fisheries, health, energy, tourism and urban planning
6. We recognize the role of civil society and scientific institutions in contributing to producing evidence, tools, case studies, implementation of best practices and monitoring ecosystem based adaptation solutions.
7. We call upon Governments at national, subnational and local level to support their communities' efforts to develop ecologically sound adaptation strategies and action plans and promote key initiatives in particular with regards to raising awareness, transferring of knowledge on adaptation and increasing the resilience of their sectors and ecosystems.
8. We call upon all countries to integrate Ecosystem based Adaptation as a major approach to their climate, biodiversity and development plans and policies.

Thematic Cluster Message on Air Quality

1. We welcome and support the efforts to enable UNEP to take a global action on air quality.
2. We would like to acknowledge the role and contributions of existing policy initiatives and good practices at the local, subnational, national, and regional levels as well as multi-stakeholder partnerships that successfully deal with air pollution worldwide. GEO-5, in its Chapter: 2 on Atmosphere and its supplement for Local Governments present a portfolio of legislative, public awareness and direct actions focusing on enhancing urban planning, public and non-motorized transport, buildings, waste management, energy efficiency and switching to low-carbon and renewable sources of energy which aims at improving air quality.
3. The main challenge is to scale-up replication of these successful experiences through appropriate financing, governance and technology transfer models.
4. Therefore, we believe this resolution/decision on Air Quality should aim to facilitate immediate actions at all levels of governments with the active engagement and participation of all actors of civil society.
5. Major Groups proposes the below amendments
 - a. Revisions of para.4 and para.7 in Preamble
 - b. Adding a new paragraph in Preamble
 - c. Revisions in para. 1, 5.a and 5.c in the Operative paragraphs

Full text is available at the Major Groups website.

Closing

Norine Kennedy, Co-Chair UNEP MGFC, Business and Industry MG



Norine Kennedy, Co-Chair, MGFC, noted that it is important for MGS to support UNEA as a strong, international civil society constituency. The MGS had a very productive two days over the course of the Forum and everyone thanks you for your stamina. Ms. Kennedy agrees with Executive Director Steiner, who said that this year was the best GMGSF to-date. She thanked the Executive Director, Secretariat, speakers and UNEP Major Groups and Stakeholder Branch.

Summary and Adjournment

The meeting adjourned at 17:53.