

Statement by H.E. Mr. Dmitry Maksimych, Permanent Representative of the Russian Federation to the International Organizations in Nairobi at the 1st substantive session of the ad hoc open-ended working group established by the UN General Assembly resolution 72/277 (Nairobi, January 14, 2019)

Dear Co-Chairs of the Group, Your Excellency Ms. Amal Mudallali and Your Excellency Mr. Francisco Duarte Lopes,

Dear Colleagues,

First of all, we would like to express our appreciation for the preparation of the report of the UN Secretary-General on improving the international environmental law, and to welcome the decision to hold substantive sessions of the Open-Ended Working group (OEWG), established in accordance with the UN General Assembly resolution 72/277, at the headquarters of the UN Environment Programme (UNEP) in Nairobi. The process has eventually returned to where it was supposed to begin.

The Russian Federation proceeds from the fact that, in line with the General Assembly resolution, the main focus of our Working Group should be on the analysis of the current state of the international environmental law and the development of consensus-based proposals for its improvement. According to the UNGA resolution, the results of the work of the OEWG should not automatically lead to the launch of the process of institutionalization of a new international environmental regime. We emphasize that UNEP has a key role in setting priorities for international environmental cooperation within the UN and that this role should be strengthened, rather than diluted as a result of establishment of parallel structures that would claim the primacy in the field of environmental protection.

At the moment, there is a large number of international legal instruments in the field of environment, which vary in their thematic and geographic scope, legal status and represent the result of a careful compromise among member states. Specialization of the international environmental law is an objective necessity for

ensuring effective cooperation on the basis of consensus and practical solutions to environmental problems. In this regard, we believe that when it comes to environment, the key task is to ensure timely and most effective achievement of the goals set out in the existing documents.

In our view, the UN Secretary-General's report indicates that the conditions for the development of any global documents on international environmental law and its universal principles are not yet in place due to objective reasons, the nature of multilateral cooperation, different interests and capabilities of States. Moreover, we consider it to be premature to establish supranational arbitration bodies in the field of environmental protection, including an international environmental tribunal. We believe that the principle of the sovereignty of States over their natural resources should be strictly observed.

In this regard, we would like to underscore the need to preserve the inclusive intergovernmental nature of environmental cooperation and the practice of adoption of all decisions in this area by consensus. Only this approach can guarantee the successful implementation of the international environmental agenda. We hope that the work of the OEWG in Nairobi will proceed in this spirit. Decisions within the Group and recommendations for consideration by the UN General Assembly should be made solely on the basis of consensus.

It is also important to have clarity on the financing of this negotiation process. We believe that all costs will be covered on a voluntary basis without the recourse to funds of the UN system budget.

In conclusion, I would like to emphasize once again that the Russian delegation will constructively engage in the work of the OEWG. We will be ready to make comments on specific sections of the report at the upcoming meetings of the Group.

Thank you for your attention.