



# General Assembly

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**Ad hoc open-ended working group  
established pursuant to General Assembly resolution 72/277**

**Third substantive session**

Nairobi, 20–22 May 2019

Item 5 of the provisional agenda

**Consideration of the draft report of the ad hoc  
open-ended working group**

## **Report of the ad hoc open-ended working group established pursuant to General Assembly resolution 72/277**

**Co-Chairs: Amal Mudallali, Permanent Representative of Lebanon to the  
United Nations, and Francisco Duarte Lopes, Permanent Representative of  
Portugal to the United Nations<sup>1</sup>**

### **I. Introduction**

1. By its resolution 72/277 of 10 May 2018, entitled “Towards a Global Pact for the Environment”, the General Assembly requested the Secretary-General to submit to the Assembly at its seventy-third session, in 2018, a technical and evidence-based report that identified and assessed possible gaps in international environmental law and environment-related instruments with a view to strengthening their implementation. The Assembly also decided to establish an ad hoc open-ended working group under its auspices to consider the report and discuss possible options to address possible gaps in international environmental law and environment-related instruments, as appropriate, and, if deemed necessary, the scope, parameters and feasibility of an international instrument, with a view to making recommendations, which might include the convening of an intergovernmental conference to adopt an international instrument, to the Assembly during the first half of 2019.

2. By the same resolution, the General Assembly decided that the ad hoc open-ended working group should hold the following sessions:

(a) An organizational session, in New York, for a duration of three working days, by the end of the seventy-second session of the General Assembly, in order to examine matters related to the organization of the work of the working group, including the duration and number of its substantive sessions;

(b) Substantive sessions, in Nairobi, the first of which should be held at least one month after the submission of the report of the Secretary-General.

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<sup>1</sup> Appointed by the President of the General Assembly in accordance with paragraph 6 of General Assembly resolution 72/277.

## II. Organizational session

3. The ad hoc open-ended working group held its organizational session at United Nations Headquarters from 5 to 7 September 2018. The working group held five meetings during the session. At its fourth meeting of the session, on 6 September, the working group adopted decision 2018/1, by which it agreed on the duration and number of its substantive sessions and decided that those sessions would be held as follows:

(a) The first substantive session would be held from 14 to 18 January 2019;

(b) Unless the working group decided otherwise, a substantive session of 3 to 5 days in duration would begin on 18 March 2019;

(c) Unless the working group decided otherwise, a substantive session of 3 to 5 days in duration would begin on 20 May 2019.

4. At its fifth meeting of the session, on 7 September 2018, by its decision 2018/2, the ad hoc open-ended working group decided on the provisional agenda for its first substantive session, as follows:

### Provisional agenda for the first substantive session

1. Opening of the session.
2. Adoption of the agenda and programme of work.
3. Financing of the activities of the ad hoc open-ended working group.
4. General statements.
5. Consideration of the report of the Secretary-General.
6. Provisional agenda and dates for the second substantive session.
7. Other matters.
8. Closure of the first substantive session.

5. The organizational session concluded its work on 7 September 2018. The report on the organizational session is available as document A/AC.289/2.

## III. First substantive session

### A. Opening and duration

6. The ad hoc open-ended working group held its first substantive session at the headquarters of the United Nations Environment Programme (UNEP), at the United Nations Office at Nairobi, from 14 to 18 January 2019. The working group held 10 meetings during the session.

### B. Documentation

7. The ad hoc open-ended working group had before it the following documents:

(a) Provisional agenda and annotations thereto for the first substantive session of the ad hoc open-ended working group (A/AC.289/3);

(b) Proposed programme of work of the first substantive session of the ad hoc open-ended working group (conference room paper circulated in English only);

(c) Report of the Secretary-General entitled "Gaps in international environmental law and environment-related instruments: towards a global pact for the environment" (A/73/419);

(d) Informal paper by the co-chairs on the provisional agenda for the second substantive session of the ad hoc open-ended working group (circulated in English only).

### C. Attendance

8. Representatives of the following Member States of the United Nations and members of United Nations specialized agencies attended the session:

Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Bangladesh, Belgium, Belize, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador,

Estonia, Eswatini, Ethiopia, European Union, Fiji, Finland, France, Gabon, Germany, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Japan, Jordan, Kenya, Lebanon, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Micronesia (Federated States of), Monaco, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Spain, Sri Lanka, State of Palestine, Suriname, Sweden, Switzerland, Thailand, Togo, Turkey, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam.

9. The following United Nations bodies, secretariat units and convention secretariats were represented:

Department for General Assembly and Conference Management; Office of the United Nations High Commissioner for Human Rights (OHCHR); secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants; secretariat of the Convention on Wetlands of International Importance especially as Waterfowl Habitat; secretariat of the Minamata Convention on Mercury; secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer; United Nations Development Programme; United Nations Office at Nairobi.

10. The following intergovernmental organizations were represented:

International Chamber of Commerce, International Committee of the Red Cross, International Federation of the Red Cross and Red Crescent Societies, League of Arab States.

11. Sixty-seven non-governmental organizations were also represented.

## **D. Agenda**

12. At its first meeting of the session, on 14 January, the ad hoc open-ended working group adopted its agenda, as agreed on at its organizational session and as set out in document A/AC.289/3, as follows:

### **Agenda for the first substantive session**

1. Opening of the session.
2. Adoption of the agenda and programme of work.
3. Financing of the activities of the ad hoc open-ended working group.
4. General statements.
5. Consideration of the report of the Secretary-General.
6. Provisional agenda and dates for the second substantive session.
7. Other matters.
8. Closure of the first substantive session.

13. At the same meeting, the working group also adopted its programme of work.

## **E. Programme of work**

14. At the first meeting of its first substantive session, the ad hoc open-ended working group, in accordance with its programme of work, heard opening statements from the acting Executive Director of UNEP, the Principal Secretary of the Ministry of Foreign Affairs of Kenya and the co-chairs. The Principal Legal Officer of UNEP then gave a presentation on the state of finances of the working group. Representatives of Member States of the United Nations and members of United Nations specialized agencies made general statements. The Principal Legal Officer of UNEP then introduced the report of the Secretary-General.

15. From the second to eighth meetings, the representatives of Member States and members of specialized agencies discussed each section of the report, namely: (a) gaps concerning principles of international environmental law; (b) gaps relating to existing regulatory regimes; (c) environment-related instruments; (d) gaps relating to the governance structure of international

environmental law; (e) gaps relating to the implementation and effectiveness of international environmental law; and (f) conclusions.

16. At the ninth meeting of the session, on 18 January, the co-chairs introduced their informal paper on the provisional agenda for the second substantive session.

17. At the tenth meeting of the session, also on 18 January, the co-chairs provided an oral summary of the discussions held at the first substantive session. That summary was later circulated in writing in English only.<sup>2</sup>

18. Representatives of the following Member States of the United Nations and members of United Nations specialized agencies made statements during the session:

Algeria, Argentina, Armenia, Australia, Bahrain, Bangladesh, Belize, Benin, Brazil, Bolivia (Plurinational State of), Burkina Faso, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, European Union, Georgia, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kenya, Malaysia, Malawi, Maldives, Mali, Mexico, Micronesia (Federated States of), Monaco, Morocco, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Republic of Korea, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Sri Lanka, Switzerland, Togo, Turkey, Uganda, Uruguay, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Viet Nam, Zambia.

19. Statements were made by the following United Nations bodies, secretariat units and convention secretariats:

Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants; secretariat of the Convention on Wetlands of International Importance especially as Waterfowl Habitat; secretariat of the Minamata Convention on Mercury.

20. Statements were made by the following intergovernmental organizations:

International Chamber of Commerce, League of Arab States.

21. Statements were also made by non-governmental organizations.

## F. Decisions

22. At its tenth meeting of the session, on 18 January, the ad hoc open-ended working group agreed that the second substantive session would be held from 18 to 20 March 2019. It also agreed on the provisional agenda for that session on the basis of the non-paper by the co-chairs, as orally revised, as follows:

### **Provisional agenda for the second substantive session**

1. Opening of the session.
2. Adoption of the agenda and programme of work.
3. Financing of the activities of the ad hoc open-ended working group.
4. Discussion of possible options to address possible gaps in international environmental law and environment-related instruments, as appropriate.
5. Provisional agenda and dates of the third substantive session.
6. Other matters.
7. Closure of the session.

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<sup>2</sup> Available at [www.unenvironment.org/events/conference/towards-global-pact-environment](http://www.unenvironment.org/events/conference/towards-global-pact-environment).

## **IV. Second substantive session**

### **A. Opening and duration**

23. The ad hoc open-ended working group held its second substantive session at the United Nations Office at Nairobi from 18 to 20 March 2019. The working group held six meetings during the session.

### **B. Documentation**

24. The ad hoc open-ended working group had before it the following documents:

- (a) Provisional agenda for the second substantive session of the ad hoc open-ended working group (A/AC.289/4);
- (b) Proposed programme of work for the second substantive session of the ad hoc open-ended working group (conference room paper circulated in English only);
- (c) Letter dated 1 March 2019 from the President of the General Assembly, attaching a communication from the co-chairs dated 28 February 2019 setting out questions to guide the organization and discussions of the second substantive session;
- (d) Informal paper by the co-chairs on the provisional agenda for the third substantive session of the ad hoc open-ended working group (circulated in English only).

### **C. Attendance**

25. Representatives of the following Member States of the United Nations and members of the United Nations specialized agencies attended the session:

Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Costa Rica, Cuba, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, European Union, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guinea, Guyana, Holy See, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lebanon, Madagascar, Malawi, Malaysia, Maldives, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saint Lucia, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Tuvalu, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

26. The following United Nations bodies, secretariat units and convention secretariats were represented:

Food and Agriculture Organization of the United Nations; Office of the United Nations High Commissioner for Human Rights; secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants; secretariat of the Minamata Convention on Mercury; secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer; UNEP; United Nations Office at Nairobi.

27. The following intergovernmental organizations were represented:

International Chamber of Commerce, League of Arab States.

28. Thirty-eight non-governmental organizations were also represented.

### **D. Agenda**

29. At its first meeting of the session, on 18 March, the ad hoc open-ended working group adopted its agenda, as agreed on at its first substantive session and as set out in document A/AC.289/4, as follows:

### **Agenda for the second substantive session**

1. Opening of the session.
  2. Adoption of the agenda and programme of work.
  3. Financing of the activities of the ad hoc open-ended working group.
  4. Discussion of possible options to address possible gaps in international environmental law and environment-related instruments, as appropriate.
  5. Provisional agenda and dates of the third substantive session.
  6. Other matters.
  7. Closure of the session.
30. At the same meeting, the working group also adopted its programme of work.

### **E. Programme of work**

31. At the first meeting of its second substantive session, the ad hoc open-ended working group, in accordance with its programme of work, heard opening statements from the acting Executive Director of UNEP and the co-chairs. Those statements were followed by a presentation by the Director of the Law Division of UNEP on the state of finances of the working group. Representatives of Member States and members of specialized agencies then made general remarks.

32. During the two informal meetings that followed, the working group discussed the following four questions, as set out in the communication from the co-chairs dated 28 February 2019:

(a) What options can be considered to address the possible gaps or challenges related to principles of international environmental law mentioned by delegations, without duplicating or undermining existing law and ongoing efforts/processes? What would be the objective of such options? What methodology should be used to develop them?

(b) What options can be considered to address the possible gaps related to the governance structure of international environmental law, including challenges in coordination and mutual supportiveness as well as risks of incoherence highlighted by delegations?

(c) What options can be considered to address possible gaps or challenges relating to the implementation of existing rules and principles of international environmental law?

(d) What options can be considered to address the possible gaps related to specific regulatory regimes or environment-related instruments with a view to strengthening the implementation of international environmental law?

33. At the fifth meeting of the session, on 20 March, the co-chairs introduced their informal paper on the provisional agenda for the third substantive session of the working group, which was circulated in English only.

34. At the sixth meeting, also on 20 March, the co-chairs provided an oral summary of the discussions held at the second substantive session. That summary was later circulated in writing in English only.<sup>3</sup>

35. The following Member States of the United Nations and members of United Nations specialized agencies made statements during the session:

Algeria, Argentina, Australia, Bahrain, Belize, Benin, Brazil, Bolivia (Plurinational State of), Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Eritrea, Ethiopia, European Union, Georgia, Guinea, Guyana, Honduras, India, Japan, Kenya, Malaysia, Malawi, Mexico, Micronesia (Federated States of), Morocco, New Zealand, Nicaragua, Nigeria, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, State of Palestine, Switzerland, Turkey, Uganda, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

36. The following intergovernmental organizations made statements:

International Chamber of Commerce, League of Arab States.

37. Statements were also made by non-governmental organizations.

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<sup>3</sup> Available at [www.unenvironment.org/events/conference/towards-global-pact-environment](http://www.unenvironment.org/events/conference/towards-global-pact-environment).

## F. Decisions

38. At its fifth meeting of the session, on 20 March, the ad hoc open-ended working group agreed that the third substantive session would be held from 20 to 22 May 2019, with pre-session consultations to be held on 19 May, and agreed to the provisional agenda for that session on the basis of an informal paper by the co-chairs, as follows:

### Provisional agenda for the third substantive session

1. Opening of the session.
2. Adoption of the agenda and programme of work.
3. Statement on the financing of the activities of the ad hoc open-ended working group.
4. Consideration of the draft recommendations of the ad hoc open-ended working group.
5. Consideration of the draft report of the ad hoc open-ended working group.
6. Other matters.
7. Closure of the session.

## V. Third substantive session

### A. Opening and duration

39. The ad hoc open-ended working group held its third substantive session at the United Nations Office in Nairobi from 20 to 22 May 2019, with pre-session consultations on 19 May. Over the course of the session, the ad hoc open-ended working group held six meetings.

### B. Documentation

40. The ad hoc open-ended working group had before it the following documents:

- (a) Provisional agenda for the third substantive session of the ad hoc open-ended working group (A/AC.289/5);
- (b) Letter dated 25 April 2019 from the President of the General Assembly, attaching the non-paper by the co-chairs on draft elements of recommendations;
- (c) Draft report of the ad hoc open-ended working group established pursuant to General Assembly resolution 72/277 (A/AC.289/6);
- (d) Proposed programme of work for the third substantive session of the ad hoc open-ended working group;
- (e) Note on the financial status of the implementation of General Assembly resolution 72/277 as of 13 May 2019.

### C. Attendance

41. Representatives of the following Member States of the United Nations and members of the United Nations specialized agencies attended the session:

Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Czechia, Democratic Republic of the Congo, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Eswatini, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Malawi, Malaysia, Maldives, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovenia, Somalia, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Sweden, Switzerland, Thailand, Togo, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Viet Nam.

42. The following United Nations bodies, secretariat units and convention secretariats were represented:

Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants; secretariat of the Convention on Wetlands of International Importance especially as Waterfowl Habitat; secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer; UNEP.

43. The following intergovernmental organizations were represented:

International Chamber of Commerce, International Organization of la Francophonie, Arab Organization for Agricultural Development, League of Arab States.

44. Twenty-four non-governmental organizations were also represented.

## **D. Agenda**

45. At its first meeting of the session, on 20 May, the ad hoc open-ended working group adopted its agenda, as agreed on at its second substantive session and as set out in document A/AC.289/5, as follows:

### **Agenda for the third substantive session**

1. Opening of the session.
2. Adoption of the agenda and programme of work.
3. Statement on the financing of the activities of the ad hoc open-ended working group.
4. Consideration of the draft recommendations of the ad hoc open-ended working group.
5. Consideration of the draft report of the ad hoc open-ended working group.
6. Other matters.
7. Closure of the session.

46. At the same meeting, the working group also adopted its programme of work.

## **E. Programme of work**

47. At its first meeting and in accordance with its programme of work, the ad hoc open-ended working group heard opening statements from the President of the General Assembly, the Director of the Law Division of UNEP and the co-chairs. Those statements were followed by a presentation by the Director of the Law Division of UNEP on the state of finances of the ad hoc open-ended working group.

48. From its second to sixth meetings, the ad hoc open-ended working group considered its draft recommendations, including by referring to the non-paper by the co-chairs on draft elements of recommendations that was attached to the letter dated 25 April 2019 from the President of the General Assembly.

49. The following Member States of the United Nations and members of United Nations specialized agencies made statements during the session:

Algeria, Argentina, Australia, Azerbaijan, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Brazil, Burkina Faso, Burundi, Cameroon, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Eswatini, Ethiopia, European Union, Gabon, Gambia, Georgia, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Japan, Jordan, Kenya, Malawi, Malaysia, Maldives, Mexico, Micronesia (Federated States of), Morocco, New Zealand, Nicaragua, Norway, Peru, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, State of Palestine, Sudan, Switzerland, Togo, Tunisia, Uganda, Ukraine, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of).

50. Statements were made by the following intergovernmental organizations and convention secretariats:



International Chamber of Commerce; the secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.

51. Statements were also made by non-governmental organizations.
52. Statements delivered during the session and made available to the secretariat have been posted at: [www.unenvironment.org/events/conference/towards-global-pact-environment](http://www.unenvironment.org/events/conference/towards-global-pact-environment).

## **F. Recommendations**

53. At its sixth meeting, the ad hoc open-ended working group adopted its recommendations, as set out below.
54. The ad hoc open-ended working group recommends to the General Assembly the following:

### **1. Objectives guiding the recommendations**

- (a) Reinforce the protection of the environment for present and future generations;
- (b) Uphold the respective obligations and commitments under international environmental law of States Members of the United Nations and members of specialized agencies;
- (c) Contribute to the strengthening of the implementation of international environmental law and environment-related instruments;
- (d) Support the full implementation of the 2030 Agenda for Sustainable Development,<sup>4</sup> as well as the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”,<sup>5</sup> including its paragraphs 88 and 89;
- (e) Not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies.

### **2. Substantive recommendations**

- (a) Reaffirm the role of the United Nations Environment Programme as the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system and serves as an authoritative advocate for the global environment, and also reaffirm the role of the United Nations Environment Assembly;
- (b) Call for renewed efforts at all levels to enhance the implementation of existing obligations and commitments under international environmental law, stressing the importance of enhanced ambition regarding means of implementation, including the provision and mobilization of all types and sources of means of implementation, consistent with the Addis Ababa Action Agenda of the Third International Conference on Financing for Development<sup>6</sup> and the 2030 Agenda for Sustainable Development;
- (c) Recognize the role of discussions on principles of international environmental law in enhancing the implementation of international environmental law, also noting the ongoing work in the International Law Commission on general principles of law;
- (d) Invite the scientific community to further their work on interconnected and cross-cutting issues by sharing information among the leading scientific, technical and technological bodies that inform the work of multilateral environmental agreements and environmental processes, as well encourage the scientific, technical and technological bodies to strengthen cooperation among themselves;
- (e) Invite the governing bodies of the multilateral environmental agreements, while preserving their independence and respective mandates, to increase their efforts to promote policy coherence across environmental instruments at all relevant levels and to consider identifying and addressing implementation challenges in their regimes, with a view to strengthening implementation at the national and international levels;

<sup>4</sup> General Assembly resolution 70/1.

<sup>5</sup> General Assembly resolution 66/288, annex.

<sup>6</sup> General Assembly resolution 69/313, annex.

(f) Invite the governing bodies and secretariats of multilateral environmental agreements to enhance cooperation and collaboration among themselves within the scope of their respective mandates, as well as between themselves and the United Nations Environment Programme and the United Nations Environment Assembly, building on work already done;

(g) Encourage the governing bodies of multilateral environmental agreements and scientific, technical and technological bodies to exchange information and experiences, including with a view to considering the streamlining of reporting and/or monitoring processes;

(h) Encourage all that have not yet done so to consider ratifying multilateral environmental agreements and to effectively implement them;

(i) Encourage States Members of the United Nations and all members of the specialized agencies to strengthen, where needed, environmental laws, policies and regulatory frameworks at the national level, as well as capacities across all sectors for the effective implementation of international environmental law, including in the administrative and justice sectors in accordance with national legal systems, while acknowledging the importance of international cooperation in supporting and complementing national actions;

(j) Encourage States Members of the United Nations and all members of the specialized agencies to mainstream environment into sectoral policies and programmes at all levels, including into national development and sustainable development plans, to enhance the implementation of international environmental law and applicable environment-related instruments;

(k) Encourage the active and meaningful engagement of all relevant stakeholders at all levels in the different forums related to the implementation of international environment law and environment-related instruments;

(l) Encourage the exploration of further ways for States Members of the United Nations and all members of the specialized agencies to support and make full use of the fifth Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme V), adopted at the fourth session of the United Nations Environment Assembly, in order to foster environmental rule of law and advance the implementation of environmental law at all levels;

(m) Encourage the United Nations Environment Programme, as chair of the Environment Management Group, in collaboration with the other members of the Group, to continue to strengthen system-wide inter-agency coordination on the environment and to call for the active involvement and support of all members of the Group in the implementation of system-wide strategies on the environment.

### **3. Consideration of further work**

55. The ad hoc open-ended working group recommends that the General Assembly:

(a) Circulate the above-mentioned recommendations and make them available to States Members of the United Nations, the members of specialized agencies and the governing bodies of multilateral environment agreements for their consideration and action, as appropriate;

(b) Forward these recommendations to the United Nations Environment Assembly for its consideration, and to prepare, at its fifth session, in February 2021, a political declaration for a United Nations high-level meeting, subject to voluntary funding, in the context of the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment, held in Stockholm from 5 to 16 June 1972, with a view to strengthening the implementation of international environmental law and international environmental governance, in line with paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development entitled, "The future we want".

#### **Statements in explanation of position**

56. Upon the adoption of the recommendations, statements in explanation of position with respect to the recommendations were made by delegations. Statements made in explanation of position that have been made available to the secretariat have been posted at:  
[www.unenvironment.org/events/conference/towards-global-pact-environment](http://www.unenvironment.org/events/conference/towards-global-pact-environment).

57. The representatives of Egypt, the European Union and the United States of America specifically requested that their statements be reflected in the report.

58. The representative of Egypt noted that collective action would require enhanced action by all, with support for national efforts to advance full implementation. The representative regretted that the recommendation on means of implementation did not acknowledge in any meaningful manner the requisite balance between action and support, and called for increases in means of implementation from all sources in the name of equity.<sup>7</sup>

59. The representative of the European Union, on behalf of its member States, requested that the report reflect their views on recommendation 2 (b) above, which, in the view of the European Union, did not prejudice the further discussions with regard to the provision of means of implementation and existing commitments.<sup>8</sup>

60. The representative of the United States of America provided clarification of its understanding and views on aspects of the recommendations. With respect to recommendations relating to multilateral environment agreements, including recommendations referring to policy coherence, the representative clarified that the governing bodies of the multilateral environmental agreements decided their priorities to be addressed under those agreements and by their secretariats. Regarding the language in recommendation 2 (b) above addressing means of implementation, that language did not imply a call for increased support from any particular country, and there was a need for an expanded pool of donors beyond traditional donors. The representative of the United States noted that a longer explanation of position would be submitted for the record.<sup>9</sup>

## **G. Adoption of the report**

61. At its sixth meeting, the ad hoc open-ended working group considered and adopted the present report on the understanding that the co-chairs would be granted a mandate to finalize the report, to be submitted to the General Assembly during the first half of 2019 in accordance with Assembly resolution 72/277.

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<sup>7</sup> The full version of the statement by the representative of Egypt can be found at [wedocs.unep.org/bitstream/handle/20.500.11822/28370/Egypt\\_statement.docx?sequence=1&isAllowed=y](http://wedocs.unep.org/bitstream/handle/20.500.11822/28370/Egypt_statement.docx?sequence=1&isAllowed=y).

<sup>8</sup> The full version of the statement by the representative of the European Union can be found at [wedocs.unep.org/bitstream/handle/20.500.11822/28368/EU\\_para2b.docx?sequence=1&isAllowed=y](http://wedocs.unep.org/bitstream/handle/20.500.11822/28368/EU_para2b.docx?sequence=1&isAllowed=y).

<sup>9</sup> The statements made by the United States of America upon adoption of the report, including its full explanation of position, can be found at [www.unenvironment.org/events/conference/towards-global-pact-environment](http://www.unenvironment.org/events/conference/towards-global-pact-environment).