

**7th Annual Subcommittee meeting of the Committee of Permanent Representatives to UNEP
(Nairobi, 12-16 October 2020)**

**Agenda item 5c
UNEA-5 preparations**

Comments by the European Union and its Member States

UNEA-5 timing and format

- We are facing challenging times with COVID-19 continuing to spread and resurge in all regions, while the lives of billions of people are being directly or indirectly impacted by the pandemic. Considering the uncertainty of the pandemic's trajectory over the coming months, it is clear that we will not be able to organise UNEA-5 as would usually have been the case.
- At the same time it is important that we recognise that the environmental crisis we are faced with – such as climate change, loss of biodiversity and ecosystem-degradation, as well as increasing levels of pollution – continue to affect millions of people, simultaneously to, and in many cases exacerbating, the impacts of the pandemic.
- It is paramount to ensure that UNEA-5, as the highest universal forum on the environment, sends the right political messages and agrees measures that effectively address these challenges, in line with its mandate.
- In this context the EU and its Member States thank the UNEA Presidency and Bureau for putting forward a proposal that takes into account the views expressed by delegations during our discussions on October 1st and manages to strike a good balance, thereby constituting a viable compromise that will ensure UNEA can live up to its mandate.
- The EU and its Member States are fully supportive of the compromise proposal put forward by the UNEA Presidency.
- We support the view that the virtual high-level meeting in February 2021, as a vital political event of UNEA-5 with ministerial dialogues and stakeholder involvement, will serve the purpose of keeping political momentum and ensuring political messaging at the start of the “super year for nature”, the UN Decade for Ecosystem Restoration and the Decade for Action and Delivery of the SDGs, and the summits and conferences taking place in 2021 - of the importance for enhancing the environment and sustainable development.
- The EU and its MS are of the view that, in order for UNEA to live up to its mandate and to ensure continued political momentum, we should adopt a ministerial outcome document during the virtual session in February 2021. We welcome the comprehensive consultations already enacted in this regard and trust the UNEA Presidency will continue and redouble efforts to ensure the inclusivity and transparency of further consultations with a view to enabling all delegations to participate.
- Furthermore, the February 2021 high-level meeting should adopt the most essential decisions necessary for ensuring effective operation of UNEP, in particular the MTS 2022-2025 and PoWB 2022-2023.

- All other substantive negotiations and the adoption of other resolutions and processes should take place during the in-person resumed session in February 2022, unless some texts already under negotiation are deemed mature for adoption by February 2021. The EU and its MS wish to reiterate that we would have preferred an earlier date such as at the end of 2021, but can accept February 2022 in the spirit of compromise. However, we wish to emphasise that the resumed session should not take place later than February 2022 and should be held back-to-back with the commemoration of UNEP@50, so as to be effective.
- The EU and its Member States, are of the view that such an approach would, strike a balance between keeping UNEA politically relevant by using February 2021 as an opportunity for, on the one hand, concise political messaging on a range of important issues as well as taking necessary decisions, and on the other hand, safeguarding that political consensus on important substantive issues is crafted in a transparent, inclusive, equitable and effective manner through physical negotiations among capital delegations at a later stage, thereby ensuring ambitious outcomes.

Proposed structure of UNEA-5

- Regarding the proposed structure of the virtual session of UNEA-5 in February 2021, the EU and its Member States find it a good basis and geared to ensuring a focused session, while enabling high-level participation. However, we would like to recommend that attention is paid to ensure broadest possible participation of the ministers.
- Regarding the physical session in February 2022, the EU and its Member State expect that we will need a full OECPR of 5 days to effectively conduct negotiations and this needs to be ensured. We would like to ask the Secretariat for a clarification how this could be addressed, given that we some OECPR days might also be needed in February 2021 to finalise documents for adoption (MTS/PoWB).
- Regarding the allocation of the agenda items between the virtual session in February 2021 and the physical session in February 2022, we understand that the “High Level Segment” and the “adoption of resolutions, decisions and outcome document of the session” will feature for both sessions. We would prefer if these two items are clearly marked for both sessions in the structure and not only by a footnote.
- We would also like to obtain a clarification if the proposed structure of the virtual session of UNEA in February 2021 will have a limiting impact on the number of days in February 2022. We would understand this is not the case but we would appreciate a confirmation by the Legal advisor.
- We also request the reference to “Informal dialogue with Stakeholders” we would like to request that it is replaced with “Multi-stakeholder dialogue” to be an official part of the agenda of the high level segment (as per Dec. 27/2 p.5(e)), possibly split between the 2021 and 2022 sessions, as is the case for the high level segment itself.

Preliminary Outline of Executive Director’s Report to UNEA-5

- The EU and its Member States thank the Executive Director for the Draft Outline of the Report to UNEA5 and are looking forward to the final report highlighting how nature delivers a host of essential services to humanity.

- We welcome the focus on the four transformative action areas for nature, that provide a good basis for discussions and central issues to be addressed by UNEA-5, including at the High Level Segment.
- Furthermore, we welcome that the note provides a clear link with the consequences of the COVID-19 pandemic and the related need to build back better.
- The EU and its Member States would like to express their support and appreciation for addressing in the Report the area of building sustainable food systems.
- The EU and its Member States support the Outline of the document in general. However, we do have several suggestions for improvement, which look into specific formulations as well as general aspects that should be stronger emphasised in the text. We hope for these to be taken into account.
- We would notably appeal that the Report specify that building back must be “better and greener”, as it has been observed in the recent UNGA debate. Secondly, the Report should include reference to the 1.5°C target of the Paris Agreement. We also recommend that the central role of biodiversity should be acknowledged more clearly throughout the document. We also encourage to use references to “nature-based solutions”, where it is justified. We would like to refer to our more detailed comments, which will be submitted in writing/Annex.

EU+MS comments on the Preliminary Outline of Executive Director's Report to UNEA-5

Green Recovery

- EU+MS would like to highlight that it is essential to specify that building back must be “better **and greener**”. This was the language used during the UNGA when discussing financing for sustainable development and SDGs and should be correspondingly adopted also in the Note.
- With regards to the need to build back better **and greener**, it is pivotal that when designing labour policies (e.g. page 3, para 4) multi-stakeholder dialogues between all segments of society take place in order to include groups who are frequently left out, not least women and girls.

Paris agreement, 1.5°C and climate-related challenges

- EU+MS highlight that it is essential not only to refer to the 2°C goal, but most importantly the 1.5°C one. Therefore, we would strongly recommend to add the following to the sentence on page 9, para 3, “keeping global temperature rises to below 2°C **and pursuing efforts to limit the temperature increase to 1.5°C** as agreed in the Paris climate agreement”.
- EU+MS highlight that the co-benefits between nature and climate should be mainstreamed along the whole document. For instance on page 11, last paragraph: “devoting stable financing and other resources to nature-related and **climate-related** challenges”.

Biodiversity

- EU+MS would like to point out that even though biodiversity is often included in the term “nature”, the central role of biodiversity should be acknowledged more clearly throughout the note, in particular by explicitly mentioning biodiversity in the introduction and the conclusion. Furthermore any use of nature should be characterized as sustainable since many forms of its use are not.
- EU+MS suggest referring to the Aichi Biodiversity Targets as well as SDG15 when referring to biodiversity loss.

Nature-based solutions

- EU+MS encourage to use of “nature-based solution” in the following passages in order for these to be more concise:
 - o Page 7, headline A: “Scaling up the direct us of **nature-based solutions** to building climate resilience”;
 - o Page 8, second para “invest in **nature-based solutions** that contribute to biodiversity and climate whilst at the same time also work towards reaching other SDGs”.

Sound Management of Chemicals and Waste

- The sound management of chemicals and waste (SMCW) supports the implementation of, many of the SDGs, if not all¹. The SMCW is therefore of significant relevance not only for Human and Ecosystems Health but also for Poverty Eradication, Jobs and Economic Prosperity, for climate and Sustainable Food Systems. EU+MS suggest addressing that issue as a transversal item. The EU+MS therefore suggest adding the following elements (in bold):
 - Page 6, headline C: “While many existing and emerging chemicals are beneficial for humanity, some also have adverse public health effects, causing endocrine disruption and neurological problems, for example. Others have direct ecological impacts, such as **polluting natural resources, contaminating food**, reducing populations of pollinators. Pollution, including from the unsound management of chemicals and waste, is one of the key drivers threatening biodiversity, as recognized by the Convention of Biological Diversity and Aichi Target 8 which aims to bring pollution to levels that are not detrimental to ecosystem function and biodiversity by 2020. To further reduce the impact that many chemicals and waste have on public health, agriculture, environment including on biodiversity and ecosystems loss, labour and economy the new global chemicals and waste management framework will establish the future arrangements of the Strategic Approach to International Chemicals Management (SAICM) and the sound management of chemicals and waste beyond 2020, informed by lessons learned since 2006.
 - Page 11, conclusion: “Improving circularity, **resource efficiency, chemicals and waste management** and enabling low-polluting practices all require infrastructure that can be complemented by the smarter use of nature.
 - Strengthening the linkages to the 2030 Agenda for sustainable development and relevant multilateral environmental agreements, including the post-2020 Global Biodiversity Framework **and the post 2020 Chemicals and Waste management framework**.

Wildlife trade

- The first sentence on page 10 concerning illegal wildlife trade comes too short. EU+MS suggest adding the following sentence in order to be more concise:
 - **“If properly regulated and controlled and therefore sustainable, wildlife trade also provides sustainable jobs, livelihoods and incomes for many people, in developing and developed countries alike. The illegal wildlife trade is a threat to the global biodiversity and undermines these legitimate means of development while possibly exposing people to potentially catastrophic zoonotic diseases”.**

Other

- EU+MS welcome the result-oriented approach concerning the launch of the Green Gigaton Challenge, but would also like to gain more information on how this can be effectively aligned and coordinated with existing financial pledges from donors and the private sector.
- With regards to Chapter V on Sustainable Food Systems, the EU+MS would like to express their support and appreciation for the initiative to build a solid and resilient food system.

¹ http://www.saicm.org/Portals/12/Documents/SDGs/IOMC_CWMandSDG_brochure_final_01Feb18.pdf

- EU+MS suggest correcting the date of publication of the Climate Change and Land IPCC Special Report from 2000 to 2019.