

Norwegian comments on the Draft Building Blocks of a Political Declaration

Norway would like to thank the co-facilitators for their efforts to take this work forwards. Given the uncertainty around the meeting at which this declaration will be adopted, the co-facilitators should furthermore be commended for their proactive approach. Our comments at this juncture are general, in anticipation of greater clarity on the overall scope and ambition emerging from the feedback to this draft. Norway nevertheless retains the right to revert with more specific comments later.

It is our understanding that the starting point for this declaration is the culmination of the work of the Ad Hoc Working Group mandated in UNGA resolution 72/277 which agreed on the recommendations contained in the annex to UNGA resolution 73/333. Those recommendations include a clear intention that this declaration should strengthen international environmental law and international environmental governance in line with para. 88 of the Rio+20 outcome document, The Future We Want. It is our view that the fundamental objective of the declaration should be to reaffirm the recommendations and seek to identify appropriate actions to ensure that the recommendations are appropriately enacted. As such, it is also our understanding that the work on the declaration should not re-open questions which were discussed in the Ad Hoc Working Group.

One important question concerns which elements of the building blocks would require inputs or decisions from other governing structures than UNEA. It is important that the political declaration which is aimed at strengthening international environmental law and governance accurately respects the mandates and role of UNEP, UNEA, multilateral environmental agreements and other relevant multilateral organs. This is consistent with what one would expect with a political declaration from a high level UN meeting.

A clear component of the mandate for the political declaration is to build on para 88 from the Rio+20 Outcome Document. Important elements include the recognition of *UNEP* "as the leading environmental authority that sets the global environmental agenda" (...), and the universal membership of its governing body, subsequently re-named the United Nations Environment Assembly as UNEP. The chapeau of para 88 also reaffirmed UNGA resolution 2997 (XXVII) which underscores the normative mandate of UNEP. Action to improve implementation of international environmental law and which additionally endeavours to strengthen international environmental governance should be firmly embedded in this mandate, also taking into account the universality of the Sustainable Development Goals.

It is however critical that those countries who most need support, particularly developing countries, are able to receive such assistance. In this respect para. 25 of the draft Building Blocks is particularly important. Consideration should be accorded to giving this question a more prominent place as a building block so as to ensure that UNEP is able to be responsive to strengthening implementation as outlined in the recommendations from the Ad Hoc Working Group.

Multilateral environmental agreements constitute *the* central part of the international environmental legal regime and are independent of UNEP (and UNEA). Their effective

implementation and enforcement is crucial to ensure a strong environmental dimension. This should be clear in the text. While UNEP's key role in respect of the international environmental legal regime is particularly to provide technical assistance and support to member states in respect of the establishment of laws and regulations at national level, it has a more limited role in respect of enforcement and compliance nationally. A UN declaration should also be relevant to the other pertinent actors in this respect. In the next decade and beyond, strengthening the interplay and the mutual supportiveness of the multilateral environmental agreements to increase their collective output will be crucial. This is dependent on the prerequisite implementation capacity.

A declaration which seeks to also strengthen international environmental governance must recognise the plurality of actors in this respect. Some further consideration must be given to what can and should be addressed in this political declaration and what should be addressed by the appropriate governing body, for example in relation to the contribution of subsidiary bodies or in respect of participation in coordination mechanisms within the UN, such as the Environmental Monitoring Group and the United Nations Sustainable Development Group (Previously the United Nations Development Group).

Norway believes that it could be useful to consider synergies between the recommendations and the 2030 Agenda more directly. For example, consideration could also be given to situating the political declaration more directly in relation to the Decade of Action and in particular to SDG 16 to maintain the focus on the strengthening of international environmental law.

One building block which we believe could be further developed is the science policy interface, a foundational element to strong international environment law and governance.

Inasmuch as implementation is the overarching concern, appropriate and ambitious reference should be made to the full implementation of the Addis Ababa Action Agenda, taking into account the COVID-pandemic which makes this need even more precarious. This will be a sensitive issue, but due recognition must be given that this will be a key component to achieving consensus on such a political declaration.

In accordance with SDG 17, recognition and reference to broader partnerships should use inclusive language which does not mix up, hide or privilege any of the broad range of sectors which the UN engages with as part of the Major Groups and other stakeholders. At present the UN language refers to Major Groups and other stakeholders covering 13 sectors which include indigenous peoples, children and youth, and women, who are active environmental defenders, for example. Academia and Science and Technology are identified as separate sectors in this context. Given the importance of how we address working with actors, we must pay particular attention to how we refer to these groups to ensure broadest inclusivity.