

Japan's comment on draft building blocks of a political declaration

15th March 2021

Japan would like to express our appreciation to the Co-facilitators for drafting building blocks of a political declaration for a United Nations high-level meeting. Japan would like to make comments on the elements of the draft building blocks, based on the understanding that this document is not a draft political declaration but it sets out building blocks which may or may not constitute a draft declaration, which will be considered in the future negotiation. In our view, the content of the political declaration as well as the building blocks should be within the scope of the recommendations endorsed by General Assembly Resolution 73/333 with a view to strengthening the implementation of international environmental law and international environmental governance.

Preamble

PP6. We recognize the essential role and existing obligations and commitments under international environmental law and its effective implementation in ensuring an environmentally sustainable future for our planet and addressing urgent social, economic and environmental challenges, especially against backdrop of the COVID-19 crisis to reduce pollution and to ensure green recovery and building back better;

“Essential role” needs to be clarified.

Strengthening international environmental governance in the context of sustainable development

OP2. We commit to strengthen the UNEP through more reliable funding and more systematic political recognition to enable the programme to better support countries through capacity building, institutional strengthening, information sharing, and inform and support the inter-governmental development and coherence of the international environmental law and its implementation.

“Systematic political recognition,” needs clarification.

OP3. We call upon the UNEP to increase its visibility and engagement in international processes and to position itself as a relevant voice in important UN processes, including in the environment, health and trade context, where UNEP can continue to provide its specific environmental expertise in ongoing negotiations of specific sectors and thereby contribute to a more coherent international policy-making.

Japan considers that providing expertise by UNEP to “ongoing negotiations” in UN process should not affect preserving independence and respective mandate of MEAs in line with the recommendations in the General Assembly Resolution 73/333.

OP6. We recognize the important role of multilateral environmental agreements in the overall framework of international environmental law and governance, and significant contributions to sustainable development and confirm our political support to improve the coordination and promote coherence across the Rio Conventions and multilateral environmental agreements and we emphasize the role of UNEA as an enabler for enhancing synergies in the field of international environmental governance.

It should be noted that UNEA should play a role as an enabler to enhance synergies in the field of international environmental governance of MEAs in a manner that would not conflict with the recommendations of General Assembly Resolution 73/333 which ensures the independence and their respective mandate of MEAs.

OP8. We emphasize the role of UNEA as a central platform in setting the overarching and cross-cutting priorities for international environmental governance and for international environmental law and policies, taking into account the decisions of the governing bodies of multilateral environmental agreements, and we invite the governing bodies of the multilateral environmental agreements to align their decisions with those of

UNEA, as we share the political will in doing so as members of the respective governing bodies.

Japan would like to point out that aligning decisions by MEAs with those of UNEA would conflict with the recommendation by General Assembly Resolution 73/333 which ensures the independence and their respective mandate of MEAs and invites the governing bodies of MEAs to enhance cooperation and collaboration between themselves and UNEA. Japan proposes to delete the last sentence of the Paragraph 8 starting with “and we invite the governing bodies of” to the end”.

OP9. We empower the Committee of Permanent Representatives of UNEP in ensuring coherent coordination of the international environmental governance and international environmental law development, and as we acknowledge our responsibility to enhance the capacity in the Committee from the national perspective, we call upon all Member States and Members of Specialized Agencies who have not yet done so, to become accredited to the Committee of Permanent Representatives and to actively participate in its activities.

Japan supports empowerment of Committee of Permanent Representatives of UNEP in ensuring coherent coordination of the international environmental governance and international environmental law development. “Our responsibility to enhance the capacity in the Committee from the national perspective” should be clarified to see if we can agree on acknowledging such responsibility.

OP11. We acknowledge with a great appreciation the generosity of the Government of Kenya in hosting the only United Nations Head Quarters in the Global South, and as the members of the governing bodies of the multilateral environmental agreements, we invite the respective bodies to hold their conferences and meetings of the parties in Nairobi on a more regular basis for enhancing synergies in international environmental governance and international environmental law development.

Japan appreciates the generosity of the Government of Kenya in hosting UNEP. However, we do not recognize direct link between holding conference of MEAs in Kenya and enhancing the synergies in international environmental governance and international environmental law development. In addition, it would affect the governance of MEAs such as Rules of Procedures of MEAs and rotation of hosting nation as independent bodies. For these reasons this paragraph is not acceptable for Japan.

Environmental law is essential for the protection of our planet

OP14. We call for the development and adoption of efficient environmental laws, and ensure their effective and fair implementation and enforcement.

Japan would like to seek clarification on “efficient environmental law” which Member States would be required to develop and adopt, including any established concept that environmental law should be “efficient.”

OP15. We invite all Governments to recognize and incorporate agreed principles of international environmental law into their national legal systems in collaboration with the Montevideo Programme for the Development and Periodic Review of Environmental Law, also noting the ongoing work in the International Law Commission on general principles of law.

*Japan would like to revise the text as follows:
“recognize ~~and incorporate~~ its importance of incorporating agreed principles of international environmental law into their national legal systems.”*

OP19. We call upon the UNEP to continue to support national Governments upon their request in the development and implementation of environmental rule of law with attention at all levels to mutually supporting governance features, including sharing information, public participation, implementable and enforceable laws, and implementation and accountability mechanisms.

Japan would like to seek clarification on the concept of the “mutually supporting governance features.”

Accelerating and facilitating action and implementation at all levels

OP24. We commit to contribute unearmarked financial resources to UNEP through the Environment Fund, taking into account our national capacities, for strengthening more stable, predictable and adequate funding to the global environmental authority, and we invite UNEP to seek innovative financing without jeopardizing its normative role and in a manner that contributes to implementation of its strategic programme.

It is important to ensure neutrality and transparency in innovative financing of UNEP. Japan would like to propose to revise the text related to the innovative financing as follows:

*“, and we invite UNEP to seek innovative financing without jeopardizing its **neutral and** normative role and in a **transparent** manner **with the view of ~~that~~ contributinges** to implementation of its strategic programme.”*

OP25. We call upon UNEP to increase its participation within the UN country teams, the UN Resident Coordinators system and its contribution into the UN Common Country Analysis (CCA) and the United Nations Sustainable Development Cooperation Framework (UN SDCF) in order to effectively assist Member States and members of Specialized Agencies in the implementation of their environmental laws and policies as part of the 2030 Agenda.

Japan supports increase of UNEP’s participation to relevant UN fora unless the increase of participation would have significant budgetary implication.

OP26. We call upon Member States and members of Specialized Agencies to enhance the ambition of means of implementation, including the provision and mobilization of all types and sources of means of implementation, especially for countries most affected by environmental degradation, consistent with the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the 2030 Agenda for Sustainable Development.

Recommendation 7 of General Assembly Resolution 73/333 was agreed after intensive negotiations and we should not reopen the same negotiation. Japan believes that the relevant part of political declaration should be strictly in line with the exact language of the Recommendation 7.

OP28. We call upon all Member States and members of Specialized Agencies to design and make full use of Integrated National Financing Frameworks as one of the effective tools to facilitate implementation of national strategies for 2030 Agenda and to coordinate efforts to mobilize financing and align investments with national sustainable development priorities and the environmental objectives.

Integrated National Financing Framework is not considered to be the only tool to achieve 2030 Agenda. Japan proposes to revise the text as follows:

*We **encourage call upon** all Member States and members of Specialized Agencies to design and make full use of Integrated National Financing Frameworks **as one of the effective tools** to facilitate implementation of national strategies for 2030 Agenda and to coordinate efforts to mobilize financing and align investments with national sustainable development priorities and the environmental objectives.*

OP29. We commit to promote innovative and multi-actor financial initiatives and introduce environmental components and sustainable financing approaches to traditional financial mechanisms, to support environmental objectives and incentivize investments in sustainable projects through enhanced information sharing requirements regarding environmental impacts.

Japan would like to seek clarification on “innovative and multi-actor financial initiatives” and “environmental components and sustainable financing approaches to traditional financial mechanisms.”

OP30. We recognize the utmost importance for enhancing environmental financial resources with supplementary financial support, aimed at promoting more sustainable businesses and life patterns, also we call

on the Global Environment Facility for increased efforts to mobilize resources and we consider highlighting in a coordinated manner the focus areas and related resources of official development assistance in relation to the environmental objectives and benefits.

Japan proposes to edit better align with GEF's function and role as the financial mechanism of the MEAs it serves. (GEF Instrument 2-4)

30. We recognize the utmost importance for enhancing environmental financial resources with supplementary financial support, aimed at promoting more sustainable businesses and life patterns, ~~also we and thus~~ call on the Global Environment Facility ~~for increased efforts~~ to mobilize resources ~~and we consider highlighting in a coordinated manner the focus areas and related resources of official development assistance~~ to meet the agreed incremental costs of measures in the agreed focal areas to achieve the ~~in relation to environmental~~ objectives and benefits of the multilateral environmental agreements that it serves as a financial mechanism.

OP31. We commit to exploit the potential for domestic resources through policy reviews such as sustainable fiscal reforms, including environmental taxes, and enhance environmental domestic financial resources to match and reflect the global environmental ambition, by setting a target percentage from GDP by 2030 and explore further innovative financing sources, including enhanced collaboration with private sector.

Japan proposes to delete "match and reflect the global environmental ambition, by setting a target percentage from GDP by 2030 and." In the Political declaration, numerical target should not be incorporated and there is not enough consideration on if GDP is appropriate target to enhance environmental domestic financial resources.

OP33. We 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 and explore new mechanisms to promote transparency and the effective engagement of civil society, including via digital means.

"Explore new mechanisms" needs clarification including budgetary implications if any.

(end)