



REPUBLIC OF KENYA

**NATIONAL STATEMENT
BY CABINET SECRETARY, HON. KERIAKO TOBIKO, EGH, SC DURING
OPENING SESSION OF THE RESUMED UNEA 5.2 ON 1st March 2022**

H.E. Mr. Sveinung Rotevatn, President of UNEA and Minister of Environment and Climate of Norway;

**Ms. Inger Andersen, Executive Director of the UN Environment Programme,
Your Excellencies, fellow Ministers;**

Ladies and Gentlemen.

1. I am highly honoured and privileged to have once again the opportunity to welcome you to Nairobi and sincerely thank UNEP for successfully convening the resumed **UNEA 5.2 session**. I also want to take this opportunity to congratulate **UNEP** on her **50th** Anniversary and the Swedish Government on the planned Commemoration of **Stockholm+50**. The Government of Kenya continues to express her commitment to supporting and working closely with UNEP.
2. As you are aware, H.E., the President of the Republic of Kenya, will give his opening remarks tomorrow at **UNEA 5.2** High-Level Segment Session and preside over the commemoration of UNEP's past, present, and future on Thursday.
3. In the past 50 years, UNEP has played a vital role in creating institutions and launching Agreements that have an advanced understanding of global environmental challenges and propelled international action; launched several ecological

agreements that have set standards, policies, and guidelines for environmental management; undertaken many projects to support national environmental efforts and developed a wealth of knowledge and thorough research and expertise.

4. During these **50 years** of intense activity, UNEP has also provided an undoubted contribution to environmental monitoring and assessment and established centers of excellence. **Madam Executive Director**, please accept our sincere congratulations from the Government of Kenya on this great institution's unparalleled and stellar stewardship. We commit to working together to build on lessons learned and challenges to strengthen UNEP and its headquarters in Nairobi.

Distinguished Delegates,

5. The triple planetary crises call for better global governance to progress and rescue the **UN 2030 Agenda** and the SDGs. The planet has already warmed by about **1.2 degrees Celsius**, and the battle to keep the **1.5-degree** goal alive will be won or lost in this decade. With **only eight years left** to achieve the 2030 Agenda for Sustainable Development, and the UN Decade for ecosystem restoration, **UNEA 5.2** resolutions must be **bold, timebound, and ambitious** to deliver on the current environmental challenges **and build back better**.
6. **Climate change** as a **threat multiplier** will also challenge our efforts towards achieving this objective. THEREFORE, aligning UNEA 5.2 outcomes with the latest science as contained in the Paris Agreement goal of 1.5 degrees Celsius to prevent a planetary catastrophe.
7. **Prevention is better and much cheaper than cure!**
8. **Kenya has taken numerous progressive steps** in fighting the triple planetary crises to ensure environmental sustainability and achieve the Sustainable Development Goals (SDGs).

9. **Our Constitution** has enshrined sustainable development as one of the four national values and principles of governance. The Constitution sets out respect for the environment and the desire to achieve environmental sustainability in its preambles. Further, it gives citizens the right to a healthy and clean environment. A clean and healthy environment is a human right in the Bill of Rights!
10. **We have advanced and continue to improve our policy, statutory, institutional, and regulatory frameworks to embrace the latest, most efficient, and sustainable practices and jurisprudence.** This is notable in our current Waste Management Bill and Environmental Management and Coordination Act 1999 (Revised 2015).

Distinguished Delegates,

11. Kenya appreciates **the Intergovernmental Negotiating Committee on Marine Litter and Plastic** that will work on the new Global Agreement. Kenya strongly feels that the **scope** of the Committee's work should not only cover the entire lifecycle of plastics but must go beyond marine litter and plastics with a **robust mandate** that will help address the complex and multifaceted plastic menace. Plastics are as much a maritime hazard as it is on land.
12. Therefore, the Plastics Treaty must have ambitious goals, broad participation, and clearly defined means of implementation. The Treaty must cover the whole life cycle of plastic, from the extraction of fossil fuels, production, selling to disposal, and it must be legally binding with specific reduction targets.
13. As you know, Kenya has been at the forefront globally, having banned the production, selling, and use of single-use plastics complete with a jail term and acceptable if violated. Further, we have **successfully imposed a ban** on single-use plastic bags in conservation areas. Individuals caught producing, selling, or

even using plastic bags will risk imprisonment of up to four years or fines of about \$40,000. We have worked closely with the private sector and citizens to implement the ban entirely. To date, we have eliminated single plastic bags and have **created opportunities for green jobs for our youth and women** who are making alternative bags.

14.To further promote comprehensive waste management practices, mainstream circular economy principles in all sectors, and reduce greenhouse gas emissions, the Government of Kenya developed the **first Sustainable Waste Management Policy and Bill** currently being debated in Parliament. The new Policy and Bill have progressive provisions for waste management and institutional frameworks in the county and National Governments.

Distinguished Delegates

15.Kenya is overhauling the current Environment Management and Coordination Act that was passed in 1999 and last reviewed in 2015 to a more progressive one. The review will mainstream the right to a clean environment as a fundamental human right, the rights and protection of environmental defenders, recognize the rights of nature and the crime of ecocide, the safety of urban forests and green spaces, and many conventional and novel norms and practices.

16.The draft legal framework also proposes to elevate the enforcement and compliance powers of our environmental protection agency. The new legal framework will be followed by extensive public education and awareness.

17.Our draft **EPR regulation (2021)** calls upon the producers to ensure their products and packaging are reusable and recyclable and embrace being ecological life cycle-friendly.

Nature-Based **Solutions and Biodiversity.**

Distinguished Delegates,

18. Conservation and management of the environment and natural resources is critical for realizing Chapter 5 of our Constitution, **Kenya Vision 2030** –our development blueprint, and H.E. President Kenyatta's "**Big Four**" **Agenda** and **green legacy**.
19. While 'biodiversity' has been dramatically enhanced by human activities, it has also been adversely impacted by unsustainable use, illegal logging, and poaching or by the impact of pollution and climate change. The first UNEP synthesis report in 2021 titled: "**Making Peace with Nature: A scientific blueprint to tackle the climate, biodiversity and pollution emergencies**" pits humanity as having altered 75% of the planet's land surface, 85% of its Wetlands, and 66% of its Oceans.
20. Our forest policy 2020 aims to enhance the management of forest resources to conserve soil, water, biodiversity, and environmental stability. Additionally, indigenous knowledge and intellectual property rights embodied in forest biodiversity and genetic resources will not only be mainstreamed but be harnessed and protected.
21. To further enhance the conservation and protection of our forests, Kenya has a draft of the **Forest Bill** that is currently being debated in parliament.
22. Kenya is currently implementing an ambitious **National Strategy** that seeks to enhance the protection of our valued forest resources and to grow an additional **two (2) billion trees**. Through this initiative, a total of **128,975.92 Ha of new forests** have been **gazetted**, **55,884.50 Ha of encroached** public forests reclaimed and restored, and several urban green spaces created and expanded in Nairobi and other urban centers. We are

implementing our **Mangrove Management Plan (2015-2030)** and have finalized our REDD+ strategy.

23. These efforts also anchor the forestry commitments that Kenya has made towards the global community, including restoration of degraded terrestrial and marine ecosystems in line with the international **30 by 30** obligations under the United Nations **Convention on Biological Diversity** (post-2020 framework for nature and people), Land Degradation Neutrality by 2030 as a contribution to the goals of the United Nations **Convention to Combat Desertification**.

24. Our efforts have improved gazetted **forest cover from 5.9% to 8.5%** and **tree cover from 8% to 12%** between **2018 and 2021**.

25. In collaboration with UNDP, FAO, and UNEP, the Government of Kenya is establishing a **Tree Growing Fund** to mobilize **USD5 billion** to actualize this ambition. We welcome you to the **side event on our proposed Tree Fund** held on Thursday, the 3rd of March 2022.

Distinguished delegates,

26. In recognition of the green economy's role in contributing to economic growth, Kenya has charted a clear road map leading to a path of green recovery. On the course are plans to accelerate the implementation **Green Economy Strategy and Implementation Plan (2016-2030)** to help create green jobs and enhance sustainable development.

27. Kenya has also joined the **Global Alliance on Circular Economy and Resource Efficiency (GACERE)** to collaborate and learn from other initiatives.

28. Our private sector is in the frontline of embracing circular economy practices focusing on reducing waste generation,

increased waste recovery, reducing greenhouse emissions, and enhancing water efficiency, to mention a few.

Distinguished delegates,

29. While COP 26 made progress in many aspects, we express our **disappointment** that the ***submitted NDCs do not put us on a path to 1.5-degree warming (but at 2.4 degrees), equivalent to 3-degree warming for Africa.*** We are already seeing the devastating impacts of climate change on our biodiversity, food systems, infrastructure, and the lives and livelihoods of our people.

30. Kenya's economy is mainly dependent on its natural resource base, which is extremely **sensitive to climate change**. Kenya **loses 3% of its annual GDP** due to the impacts of recurring droughts and floods. Despite its negligible contribution to global greenhouse gas emissions, Kenya continues to grapple with the effects of climate change.

31. In **December 2020, Kenya submitted an ambitious Updated NDC 2020 to reduce emissions by 32%** against a business-as-usual scenario by 2030. We are also in the process of finalizing our Long-term greenhouse gas emission strategy for **2050** with very transformative commitment in all sectors. Our updated NDC, LTS, and National Climate Action Plan recognize impacts of climate change to biodiversity, land degradation neutrality, emission reduction from waste management, and embraced circularity and circular economy.

32. **Further, Kenya is also developing a national action plan on short-lived climate pollutants.**

Conclusion

33. Finally, Kenya commits to implement the outcome of UNEA 5.2 and ensure that the resolutions are executed to the best of our financial and technological capability. We invite our

development partners to support our efforts in the spirit of collaboration and partnership.

Thank you.