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UNEP Working Group on Nitrogen
Second meeting
Online, 17 January 2023

Report of the second meeting of the UNEP Working Group on Nitrogen

Introduction

1. The UNEP Working Group on Nitrogen was convened by UNEP's Executive Director to facilitate the implementation of resolution 4/14 and 5/2 on sustainable nitrogen management and to strengthen the engagement and ownership of the implementation process by Member States and stakeholders.
2. The second meeting of the UNEP Working Group on Nitrogen took place online on 17 January 2023.

Item 1

Opening of the meeting.

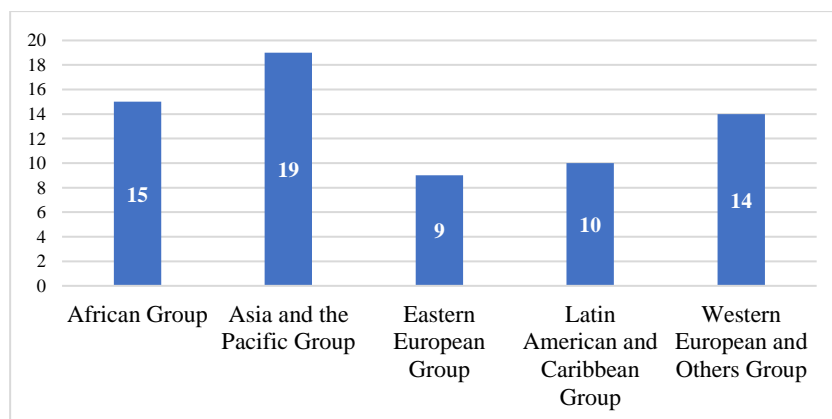
3. The second meeting of the UNEP Working Group on Nitrogen was opened by the Ecosystems Division Director of UNEP, Ms. Susan Gardner, who congratulated and thanked the Co-Chairs, Ms. Purvaja Ramachandran, Director, National Center for Sustainable Coastal Management, Ministry of Environment, Forest and Climate Change of India and Mr. Mihai Constantinescu, Institutional Coordinator, Ministry of Environment, Waters and Forests of Romania, for accepting their role as Co-Chairs and taking the work of the Working Group forward. After her opening remarks, Ms. Gardner handed over to the Co-Chairs to lead the meeting.
4. The Co-Chairs drew the meeting's attention to the provisional agenda and presented the scope of the Working Group, which is to facilitate the implementation of resolution 4/14 and 5/2 on sustainable nitrogen management and to strengthen the engagement and ownership of the implementation process by Member States and stakeholders.
5. The Co-Chairs drew the meeting's attention to the Terms of Reference of the Working Group which built on provisions of the two resolutions on sustainable nitrogen management and reminded the meeting that the documentation was made available through the meeting webpage.

Item 2

Update from the UNEP secretariat.

6. The Co-Chairs invited the UNEP secretariat to provide updates pertinent to the work of the Working Group.

7. Ms. Leticia Carvalho, Head of the Marine and Freshwater Branch at the Ecosystems Division of UNEP and Ms. Tessa Goverse, Chief of the Source to Sea Pollution Unit at the Ecosystems Division of UNEP and Coordinator of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities presented the following highlights:
 - a. Two UNEA resolutions have been adopted on Sustainable Nitrogen Management: Resolution 4/14 “Sustainable Nitrogen Management” at UNEA-4 in March 2019 and Resolution 5/2 “Sustainable Nitrogen Management” at UNEA-5.2 in March 2022. The secretariat presented the operative paragraphs of these two resolutions.
 - b. The UNEP Working Group on Nitrogen was established to facilitate the implementation of the resolutions on sustainable nitrogen management.
 - i. The first meeting of the UNEP Working Group on Nitrogen was held online in June 2020 where an *ad hoc* Task Team on an inter-convention nitrogen coordination mechanism was established.
 - ii. In August 2022 a call for nominations of focal points and Co-Chairs for the Working Group was sent by UNEP.
 - iii. The appointment of Co-Chairs was done by the President of UNEA-6 on 31 October 2022.
 - iv. In consultation with the Co-Chairs, the second meeting of the UNEP Working Group on Nitrogen was scheduled for January 2023.
 - c. The secretariat presented an update on focal point nominations to the Working Group: as per 16 January 2023 of total of 67 nominations was received. The following regional breakdown was presented:



- d. The secretariat also presented developments in other UN processes relevant to the Working Group. These included:
 - i. The adoption of the Global Biodiversity Framework in December 2022 and the 15th Conference of the Parties of the Convention on Biological Diversity, notably Target 7¹ which makes specific reference to nitrogen.
 - ii. The ongoing UN Decade on Ecosystems Restoration and Ocean Science for Sustainable Development, as well as the development of a UN System Common Approach to Transitioning towards a Pollution-free Planet.
 - iii. The planning of an Environment Management Group (EMG) nexus dialogue on nitrogen pollution to be held in the first half of 2023.

Item 3

Possible options for improved coordination of policies across the global nitrogen cycle at the national, regional, and global levels.

¹ Reduce pollution risks and the negative impact of pollution from all sources, by 2030, to levels that are not harmful to biodiversity and ecosystem functions and services, considering cumulative effects, including: reducing excess nutrients lost to the environment by at least half including through more efficient nutrient cycling and use(...).

8. The Co-Chairs reminded the meeting that at the first meeting of the Working Group a Task Team was established to examine possible terms of reference for an inter-convention nitrogen coordination mechanism. The Co-Chairs invited the Task Team representatives Mr. Mark Sutton and Ms. Clare Hamilton to present the report prepared by the Task Team entitled: *Discussion paper on options for facilitating improved coordination of policies across the global nitrogen cycle: Implementing United Nations Environment Assembly (UNEA) Resolution 4/14 and UNEA Resolution 5/2 on sustainable nitrogen management*.
9. Mr. Sutton thanked members of the Task Team which met seven times for the preparation of the report. He presented the context of a UNEP/GEF project towards the development of an International Nitrogen Management System (INMS).
10. Ms. Hamilton presented how the work of the Task Team progressed and drew the meetings attention to the background documentation available on the meeting webpage that captures the results of the work of the Task Team. Ms. Hamilton highlighted that the report covers:
 - a. The need for better coordination of policies across the global nitrogen cycle.
 - b. An overview of the work done to date.
 - c. A number of options for the consideration by the Working Group.
11. Ms. Hamilton stated that discussions amongst the Task Team members focused primarily on the option of coordination mechanism because this option was favoured by the INMS-4 high-level meeting held in Nairobi in April 2019 and by the Working Group at its first meeting in June 2020. Ms. Hamilton summarizing the functions of the Task Team in three broad categories:
 - a. Coordination of activities between conventions and the promotion of opportunities.
 - b. Support to countries to improve domestic nitrogen management via knowledge exchange, financial support, or external engagement.
 - c. Coordination of technical and scientific support and advice.
12. Ms. Hamilton presented a timeline of how the Task Team progressed on its work and highlighted the requirements of UNEA resolution 5/2 and how it builds on UNEA resolution 4/14.
13. Ms. Hamilton presented the four options considered by the Task Team:
 - a. Continue with status quo.
 - b. One (existing) MEA takes the lead in addressing interaction across the nitrogen cycle.
 - c. Negotiations of a new Nitrogen Treaty.
 - d. Establishment of an intergovernmental mechanism for coordination of nitrogen policies.
14. Ms. Hamilton stated that the Task Team is aware that there may be other options that should be considered and welcomes the identification of other options. Ms. Hamilton also stated the Task Team is conscious that the table of advantages and disadvantages is likewise not exhaustive. Ms. Hamilton reminded the meeting that the purpose of the report is to stimulate discussion and to help the Working Group in its deliberations.
15. The Co-Chairs thanked the Task Team for its work and opened the floor for discussion.
16. Focal points asked if contact details of member of the Working Group could be made available.
17. One Focal point commented that option four, establishment of an intergovernmental mechanism for coordination of nitrogen policies, was favoured.
18. A Focal point raised a question regarding the Terms of Reference that were presented under Agenda item 1 of the meeting, asking if there was an opportunity for new member of the Working Group to review the Terms of Reference and consider changes to the Terms of Reference, noting in particular that there was no clarity on the composition of the Task Team and how this would work in the future.
19. A Focal point raised a question regarding the distinction of the wording inter-governmental and inter-convention, appreciating that the report presented by the Task Team had made some clarifications about the importance of recognizing that the MEAs are independent bodies with their own governance systems and that any kind of mechanism that is developed needs to be aware that an independent party cannot interfere with the governance of those independent MEAs. As a

consequence, it should be made clear if the emphasis will be on coordination among conventions or if the emphasis should be placed on other types of coordination i.e. intergovernmental coordination which may or may not include the conventions. For example, national action plans which are also called upon for under UNEA 5/2 does not necessarily involve the conventions to:

- a. identify additional incentives for countries to develop national action plans,
- b. facilitate if they need resources,
- c. exchange information on what is considered in the development of national action plans and lessons learned.

A more fruitful focus would be to focus on this, rather than coordination of conventions, given the independent governance structures of conventions. A decision on the focus of inter-convention and intergovernmental should be made either on the wider work of the Working Group or at the Task Team level.

20. A Focal point asked if participants would vote on the options presented under Agenda item 3, to which the Co-Chairs clarified that there would be no voting on options.
21. The Co-Chairs reminded that the Terms of Reference are drawn directly from the provisions of the UNEA resolutions and that the scope of the Working Group cannot be extended outside the UNEA resolutions.
22. The Co-Chairs clarified that in the deliberations of the Task Team the term coordination was mainly used in lieu of cooperation; it is not the intent to govern over established governing bodies. The Co-Chairs stated that the work of the Task Team had been successfully concluded and that in the future the Working Group could consider establishing other Task Teams to support its work.
23. Mr. Sutton added that the word inter-convention was proposed by a UN convention, with the aim to emphasize that there is action at the convention level and that there is a role for engaging with the conventions in that process. It is also clear that the process is intergovernmental and that conventions have their own governing structures. Mr. Sutton stated that the use of coordination led to confusion, as it refers to coordination of nitrogen and not coordination of conventions.
24. One Focal Point asked how an intergovernmental mechanism relates to or is different from an agreement and treaty. Ms. Hamilton clarified that how any mechanism would work would be for further discussion and identification by the Working Group.
25. The Co-Chairs invited the Working Group to provide further written comments to the secretariat.

Item 4

Inputs from focal points on the process for the preparation and implementation of national action plans on sustainable nitrogen management.

26. The Co-Chairs presented a draft flexible template entitled: *Country level baseline screening on actions for sustainable nitrogen management* to assist in gathering information on preparing action plans, while also recognizing that every country has different circumstances, needs of nitrogen management, resources and is at different stages of the process of developing and implementing actions. The draft template included elements to gather information on:
 - a. Targets on reducing nitrogen losses.
 - b. Monitoring systems.
 - c. Measures to promote sustainable use of nitrogen.
 - d. Action plans / guidelines / codes of good practice.
 - e. Legislation.
 - f. Norms on wastewater discharge.
 - g. Awareness and campaigns.
 - h. Training.
 - i. Public and private investment.
 - j. Science and technological advances.

27. The Co-Chairs invited focal points to share experiences in preparing and implementing national action plans on sustainable nitrogen management.
28. A Focal point asked to what extent it was required for focal points to fill out the draft template, in a way that is comprehensive to gather input from relevant ministries in order to provide the most accurate data. Or if the request is that focal points fill the template to their best knowledge of the situation given the tight deadlines to provide input, stating that gathering data from different ministries would require more time. The Co-Chairs clarified that the request at this stage is to gather feedback on the template; at a later stage focal points would be responsible for gathering data to fill out the consolidated template over a longer time period.
29. An observer Major Group and Stakeholder organization commended the work of the Co-Chairs and the progress made by the Working Group, and raised a question regarding the Terms of Reference, in particular the participation of stakeholders seeking clarification on the participation of UNEP accredited Major Groups and Stakeholders. The Co-Chairs clarified the Global Partnership on Nutrient Management (GPNM), as a multi-stakeholder partnership, would serve as the main vehicle to engage the scientific community and other stakeholders.
30. A Focal Point requested that an official letter by UNEP is provided to the ministry regarding the sharing of information and preparation of national action plans. She also informed about the links to the Colombo Declaration, to which the Co-Chairs clarified that the mandate of the Working Group is attached to the implementation of UNEA resolutions 4/14 and 5/2 on sustainable nitrogen management and not linked to the Colombo Declaration. The Co-Chairs further clarified that sharing of information on national action plans, and the development of national action plans is not mandatory as per UNEA resolution 5/2. Finally, the Co-Chairs confirmed that an official letter would follow.

Item 5

Other matters.

31. The Co-Chairs invited the Working Group to raise any other matters pertinent to the meeting.
32. A Focal Point thanked the Co-Chairs for their willingness to lead the process and commended the Co-Chairs for their work thus far.
33. No further matters were raised.

Item 6

Closure of the meeting.

34. The Co-Chairs thanked focal points and stakeholders² for their participation and the secretariat for the work in preparation of the meeting.
35. The Co-Chairs reminded the meeting to submit written feedback on the Task Team report and the template for baseline screening on nitrogen actions to the secretariat² and confirmed that a third meeting of the Working Group would take place in the second quarter of the year.
36. The Co-Chairs closed the second meeting of the UNEP Working Group on Nitrogen.

² unep-nitrogenworkinggroup@un.org