

Opening slot: NGOs (Leida: speaker)

Thanks chair and good afternoon, dear delegates,

I'm Leida Rijnhout (Stakeholder Forum) and we coordinated the position of the civil society groups. We had our consultation meeting last week. We submitted our paper, which we invite you to read.

Nothing new when I tell you that we are facing multiple crises, resulting in an increasing number of floods, droughts, pandemics, biodiversity loss, environmental conflicts, forced migration, poverty and hunger.

All those crises we caused ourselves: and this must be stopped and reversed as quickly as possible. There is no more time left for weak political declarations that do not lead to effective commitment and dedicated action. We are happy in this respect with the ambitions of Grulac, EU and Colombia, amongst others.

We all, governments and businesses have not taken sufficient action to stem the tide on this catastrophic situation nor have we fulfilled most of the global treaties, conventions, commitments, and international agreements that we have made over the past 50 years since the Stockholm Declaration was signed.

Already since 1992 (Agenda 21) there has been strong language agreed on the need for implementing environmental law and regulations. One of the Human Rights is the *right to a healthy environment*, 151 countries do mention this right in their Constitution but with weak or no implementation. Many MEA's (Multilateral Environmental Agreements) were established. Nevertheless we are facing a huge lack of compliance. Many corporations and governments are not really motivated, and corporations are still not held accountable for the damage they continue to cause in regard to the environment like climate change, land- and air pollution, deforestation, plastic soup in the oceans, ... Worse still, many governments continue to subsidise and incentivise the unsustainable practices of these corporations.

It is thus essential that the United Nations and Member States adopt the most substantive and ambitious Global Political Declaration possible - one that is fit for purpose and will play an essential role in reversing this disastrous situation. It is imperative that we, governments at all levels along with all other stakeholder groups, develop and implement a Political Declaration, which is action oriented, and contains political commitments, targets and timelines.

Strengthening environmental law and governance is crucial.

In addition a commitment is needed to establish an International Court of Justice for the Environment.

As Civil Society groups, we applauded and supported the initiative and the call to develop a Global Pact for the Environment. On the same level as the Declaration of Human Rights, it is necessary to agree globally on a set of principles for environmental rights, along with the recognition of universal responsibilities. At the same time, it is necessary to encompass our legal systems with the functioning of our Planet establishing a systemic approach in our legal and institutional frameworks.

We propose a 2-step approach: We need to start with a strong declaration with bold principles (most of them already in Agenda 21, complemented with the 16 Framework Principles that the special rapporteur for Human Rights and Environment drafted in 2018) ..) and then give UNEP the mandate to start a process to come up with something more substantive (cfr: SDG process, with goals, targets, timeline and indicators), where you create ownership of MS and civil society and with concrete commitments and where possible legally binding targets.

Thank you

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Slot 2: (Ana Barreira - speaker)

Thank you madame co-chair and distinguished delegates,

I am Ana Barreira from International Institute for Law and the Environment (IIDMA) and Common Home of Humanity, speaking on behalf of NGOs. We already stressed, just as some of the delegates that the political declaration envisaged in UNGA Resolution 73/333 has to be ambitious. Ambition is urgently needed but with concrete commitments. An ambitious Political Declaration has to avoid being a repetition of what the international community has been doing in the almost 50 years since the Stockholm UN Conference on the Human Environment because it is clear that we are failing.

The Political Declaration we want is one which will deal with already identified problems in environmental law and governance: insufficient implementation, fragmentation of environmental institutions and laws and the legal system and isolation of environmental issues and which focuses among others on developing an innovative and entirely enhanced package of modalities and promotes investment and development of increased capability, Building capacity of public officials, expert decision makers, judges and lawyers is an imperative and will result in better and more uniform decisions, and creative new solutions. It is also necessary to build the capacity of administrative bodies and civil society (Montevideo program) and devote economic resources to implementation and monitoring. It is also fundamental to provide means to public administration officials and judges to track compliance with environmental laws.

On the governance side, to tackle the institutional fragmentation among MEAs it is necessary to address the interactions among the different components of our Earth System: the biosphere, the living part and the geosphere, the physicochemical sphere (climate, atmosphere, hydrological system). In order to encompass this physical reality with our legal frameworks it is necessary to adopt a principle on the integrity and unity of the Earth System as well as the recognition of our Earth System as Common Heritage of Humankind. This will impel integration and coordination of work among Secretariats of MEAs as well as integration among the different existing legal mechanisms to protect our Planet.

We also invite states to coordinate this process with UNGA (New York) and OHCHR (Geneva) initiatives that are currently taking place in putting more emphasis on the

Human Right to a Healthy and Safe Environment. UNEP could develop, put forward, and promote a better wording based upon and coming from the draft text of GPE by the Club de Juristes: which promotes a right to an ecologically sound environment and the duty to take care of the environment.

We call member states to recognize and institutionalize the existing roles of international organizations, civil society and compliance and enforcement networks in the development of capacity and capabilities for understanding and implementation of MEAs. Their existing role of supporting the work of Governing bodies established by MEAs as it relates to capacity building, technical assistance for compliance and implementation, promoting exchanges and good practice, conducting studies would be recognized and retained.. For this reason, the role of compliance committees and their openness to receive communications from the public is fundamental to ensure that MEAs are implemented.

We consider that this consultation can contribute enormously to change the damaging path we have been following in the last decades to introduce the changes necessary to tackle the climate and planetary emergency.

Thank you