

24 November 2021

**Consultations on a draft ministerial declaration for UNEA-5.  
Position paper of the European Union and its Member States**

General remarks:

- The EU and its MS thank for the consultation process led by the UNEA 5 Presidency. We trust the leadership of the Presidency of UNEA 5 to find the right balance taking into account the different points of view towards developing an ambitious and substantial ministerial declaration.
- The EU and its MS agree that a clear focus should be given to the overall theme of UNEA 5: Strengthening actions for nature to achieve the sustainable development goals. The ministerial declaration should also reflect the key international environmental governance debates and outcomes. In that regard, the EU and its MS thank the UNEA 5 Presidency for including two placeholders for reference for outcomes from the COP 26 UN Climate Change Conference, which can be filled in now after the conclusion of the meeting, and to the outcomes on the discussions on marine litter and plastic pollution and for referring to the adoption of an ambitious and transformative post-2020 global biodiversity framework at the 15th Conference of Parties of the UN Convention on Biological Diversity.
- The EU and its MS insist that the ministerial declaration offers a good opportunity for the input of UNEA 5.2 to Stockholm+50, as mandated by paragraph 7 of the General assembly resolution 75/280. The EU and its MS request an operative paragraph regarding this event. The EU and its MS believe that it might be suitable that UNEA 5.2 highlights Stockholm+50 as an occasion for a game changer to unite behind science and accelerate the implementation of action-oriented solutions to address the planetary crises and articulate that UNEA 5.2 forward the declaration as input to Stockholm+50.
- Overall, the EU and its MS recognize that the current Zero Draft forms a balanced document and a good basis for further work. Hence we would like to further empathize or visualize the factual status of the three planetary crises in the preambular paras.



Remarks per paragraph:

Proposed preambular section

**Introduction**

- **PP1**: The resumed session of UNEA-5 should be held at the highest standards of inclusivity and therefore include again the reference made to “representatives of international organizations and other stakeholder”. Furthermore, this PP should highlight that the Ministerial Declaration shall serve as input to Stockholm+50.
- **PP2**: With regard to nature, we suggest to include reference to ecosystem “services”, which is the term consecrated by science (IPBES). Moreover, with regards to Healthy Ecosystems, it is essential to integrate the “One Health” approach. Lastly, a link should be made between food systems and emergence on zoonotic diseases, recognizing that the causes behind their emergence are primarily linked to food systems.

**Biodiversity loss**

- **PP3**: The EU and its MS welcome this reaffirmation of our deep concern of nature degradation and propose to replace “water” with “marine as well as freshwater” to make sure that all types of water are included in the statement. Also, we believe it is essential to explicitly mention “legal and illegal deforestation” as a major concern aside the loss and degradation of biodiversity and include “degradation and unsustainable land use change” and increased challenge of “invasive alien species” as part of the threats to biodiversity. We fully support the reference to unsustainable consumption and production as a key reason for the pressure on nature and biodiversity. Further the EU and its MS would more explicit visualize the impact that this PP refers to by adding facts about the degradation. In that regard, we suggest mentioning that *“Three-quarters of the land-based environment and about 66% of the marine environment have been significantly altered by human actions. 1 million animal and plant species are now threatened with extinction”*

**The sound management of chemicals and waste**

- **NEW**: The EU and its MS share the concern expressed about the sound management of chemicals and waste and support the insertion of this paragraph. We would like to include the following reference: “... with pollution **and adverse effects of chemicals and waste** thus remaining a threat to nature and our health”.

**Placeholder for reference to outcome from the COP26 Glasgow**

- **NEW**: The EU and its MS reaffirm the commitment from UNFCCC COP 26, to pursue efforts to limit global warming to 1.5°C, and the call for accelerated climate ambition and concrete action in the current decade, which is critical to keep this limit within reach. It is essential that Environment Ministers call all Parties to the Paris Agreement to revisit and strengthen the 2030 targets of their NDCs and communicate or update their long-term strategies next year, both aligned with the Paris Agreement temperature goal, urging Parties that have not



yet communicated new or updated NDCs to do so as soon as possible, as agreed in Glasgow. It is also essential to call all Ministers to especially commit to rapid, deep and sustained climate action including the accelerated phase down of unabated coal power and phase-out of inefficient fossil fuels subsidies, as agreed in Glasgow, while ensuring that “no one is left behind” in the shift to a sustainable path. More extensively, we regret the absence of a dedicated operational paragraph to climate action.

#### Innovation

- **PP4**: The EU and its MS see as an improvement the movement of the reference to the “negative long term trend for the environment” from the preambular section to the operational section (between OP9 and OP10).

#### Impacts of the COVID-19 pandemic

- **PP5**: The EU and its MS welcome the importance given to the devastating impacts of COVID-19 and the subsequent commitment to a green and just recovery by mainstreaming environmental concerns in economic recovery policies. EU+MS regret the substitution of the specific reference to wild species and natural habitats by the broader notion of “nature”, as this wording does not reflect well the interlinkages between pandemics and wildlife. Therefore we ask that the notion of wild species be taken again into account in this paragraph.

#### Transformative and systemic changes

- **PP6**: As the notion of “investments” does not necessarily address the issue of harmful subsidies, which is crucial to make this transformative change happen, the EU and its MS suggest to replace by “the rechanneling of financial flows” as a reference to “financial flows” could be a more encompassing and comprehensive term.

#### UNEP@50

- **PP7**: EU and its MS think that mention to the outcome document of the UN Conference on Sustainable Development, held in Rio, from 20 to 22 June 2012, entitled “The Future We Want”, especially its paragraph 88, should remain as a reference for the strengthening of UNEP. Along the same line, this paragraph should also include a reference to UNEP as “the leading global environmental authority that sets the global environmental agenda”.

#### Green and just recovery

**OP8**: The EU and its MS believe that emphasis should be made in the recovery plans on the crucial role of ecological restoration for ensuring healthy and resilience ecosystems and avoiding the transmission of infectious diseases. However, we note with concern that overall only very few of the worldwide recovery packages seize the opportunity for a resilient recovery, as evidenced and reported by UNEP on numerous occasions. We believe the Declaration could address this concern. According to a UN report only a small amount of the recovery package actually is “green”. Reflecting on the concept of just transition beyond sole



recovery, the EU and its MS would suggest extending the wording to “just recovery and just transition”.

The Paris Agreement – including a stock take and current COP outcomes - should always be mentioned together with the 2030 Agenda, highlighting their interlinkages but also complementarity.

Since the MOD vows to keep up political momentum, it is essential that Environment Ministers urge the Parties to the Paris Agreement to (i) communicate or update enhanced NDCs, communicate their long-term strategy as soon as possible towards reaching net-zero emissions by 2050, and revisit and strengthen the 2030 targets in their nationally determined contributions as necessary to align with the Paris Agreement temperature goal by the end of 2022, (ii) to also commit to ensure that “no one is left behind” in the shift to a sustainable path. Likewise, the OP shall call for “accelerating the reduction of GHG emissions” instead of “reducing”, to be coherent with the action undertaken under the Paris Agreement. **More extensively, we regret the absence of a dedicated operational paragraph to climate action**, which we would strongly recommend.

Gender equality and the reduction of pollutants could also be mentioned in this OP, as these issues are not mentioned in the text. The notion of both emissions reduction and “adaptation/resilience”, as well as and “disaster risk reduction”, is to be supported.

Finally, we suggest including text on protecting key natural resources that are also vital for human survival and wellbeing. In this regard, the proposed deletion of the mentions of “resource efficiency, environmentally sound business models”, “resilience” and “healthy and harmonious relationship with nature” and reference to “sustainable finance” makes the paragraph even weaker, and we would advocate for restoring such references.

#### Fight against the loss of biodiversity

- **OP9** : We believe the wording is insufficient regarding biodiversity since we must not only “halt” but also “reverse” biodiversity loss. In this regard, “the conservation, sustainable use and the restoration” should be quoted as means to reverse this curve. We suggest referring to “an increased area of effectively managed and connected protected areas” which is more appropriate. The use and protection of land, sea and water are often integrated, for example regarding irrigation, dams, coastal exploitation etc. The OP should therefore refer to “land, sea and **water** use”. The EU and its MS also propose another formulation to make clearer the need to combat environmental crimes in general: “and effectively preventing and combatting environmental crimes (including illegal deforestation, illegal mining, wildlife crime and the illicit trafficking in timber, minerals and wildlife as well as the illegal dumping, release, exploitation of and illicit trafficking in waste and hazardous or toxic substances), as serious crimes, as well as related money-laundering and corruption” instead of “addressing illegal deforestation, mining, wildlife trade and other crimes that have serious impacts on the environment”. We suggest also adding a reference to “conflicts” in this paragraph.



### Partnerships across sectors

- **NEW** : EU and its MS welcome the call for the involvement of the important stakeholders in the development of actions that strengthen nature and turn around the persistently negative long term trend for the environment and support the reference to reports from multilateral scientific bodies. We would suggest eliminating “untraditional” in front of partnerships and include references to “women” and “local communities” alongside youth, indigenous peoples, private sector and all of civil society. EU and its MS underline the important role of the scientific community in highlighting for the policymakers key science–policy interfaces, for optimizing the effects of policy; we would suggest a reference to the International Resource Panel.

As regard to the reference to the IPBES and IPCC report in this paragraph, an appropriate formulation should be used: “joint workshop of IPBES with IPCC report”.

The EU and its MS would like to propose to add a sentence or a separate paragraph addressing the science-policy interface and the need for an increased cooperation between the existing (e.g. IPCC, IPBES, IRP) and potential future (Chemicals/Waste/Pollution) panels and the renewed GEO, as the UNEP’s flagship.

### Use and management of nature and its resources

- **OP10** : The EU and its MS appreciate that sustainable consumption and production (SCP) patterns are being given prominent attention in the MOD. However, the use of resources must be considered at all stages of the value chain. This paragraph could constitute an opportunity to “commit to protect water quantity and quality as the source and indispensable support for life” as water issues are insufficiently reflected in the text. Moreover, clarification is needed for the expression: “integrating the proper valuation of nature” (Does it mean proper evaluation? Giving due respect to the values? Or Economic/monetary valuation?). ‘Sustainable management’ itself could also be mentioned as a tool: “...to advance sustainable consumption and production patterns, including through resource efficiency, sustainable management, and circular economy policy approaches, and by...”

### Nature-based solutions

- **OP11** : The EU and its MS welcome the mention of the concept of Nature-based Solutions (NbS). When referring to the concept of NbS, it must be made clear that it encompasses social as well as environmental and biodiversity safeguards (keeping in mind that not all approaches occasionally labelled as NbS are biodiversity-friendly). Accordingly, we support the use of the definition of NbS applied by IPBES and IPCC (which is the same as the one agreed by IUCN at the World Conservation Congress in 2016). The discussion on NbS should be facilitated. The EU and its MS also suggest mentioning the UN Decade of Ecosystem Restoration in this OP (eg. “...and our commitments towards the UN Decade of Ecosystem Restoration”). Furthermore, we shall clarify in the text that NbS “contribute to” climate change adaptation and disaster risk reduction and provide us with clean water and air. The EU and its MS may request a reference to “peatlands” alongside other examples of NbS. When referring to forests and to be in-line with the European Forests Strategy, the EU and



its MS emphasize the importance of primary forests and old-growth forests in the context of their management and conservation. Any primary forest is a natural forest and the FAO definition of primary forests is used by all Member States. (FAO; FOREST RESOURCES ASSESSMENT WORKING PAPER 188; Global Forest Resources Assessment 2020: Terms and definitions.)

The EU and its MS recall the CPR of its intention to submit a resolution regarding Nature-based Solutions for the resumed session of the 5th meeting of the UN Environment Assembly.

### Food Systems

- **OP12** : The EU and its MS suggest “to commit to transition to sustainable food systems and climate-friendly by 2030”, to “reduce pollution”, to avoid other negative impacts of agriculture on the environment, to move towards more healthy, sustainable and plant-based diets, and to enhance the systems’ delivery of nutritious and diverse food and food security, making food systems fair, healthy, environmentally friendly, economically viable and more resilient to crises. The EU and its MS consider that combating deforestation and forest degradation associated with certain commodities, as well as avoiding land use conversion, should be remarked. Therefore we suggest including the reduction of ‘deforestation and land degradation’ and a mention to “land use conversion” in addition to biodiversity loss: “We commit to cooperate across sectors and levels of government to transform our food systems (...) while respecting our overall commitment to halt and reverse biodiversity loss, deforestation, land degradation, reducing emissions and freshwater use and avoiding land use conversion...”.

### Land use planning

- **OP13** The comprehensive planning need to integrate both “land and water” to be fit for purpose to help create a conducive business environment that stimulates investments in sustainable production and value chains. We see the need for a consistent approach to integrate land and water through the declaration.

### Ocean

- **OP14** : The EU and its MS welcome this OP focused on ocean conservation and would like to add wording on sea level rise, on the wish for a biologically diverse ocean, through sustainable fishing practices and the protection coastal and marine areas in line with SDG14, and reaffirm commitment towards the UN Decade of Ocean Science for Sustainable Development 2021-2030, as increasing our knowledge on the ocean needs to remain a priority in order to better understand its functioning as well as climate change impacts on it. The EU and its MS welcome the overall ambition of the paragraph, especially the reference to the Paris Agreement and the implicit mitigation efforts to be made to “prevent marine temperature rise”. The EU and its MS would prefer the use of singular for “ocean” in this paragraph in order to reflect the existence of a global interconnected ocean. The EU and its MS would also like to add wording on the resilience to climate change as follows: “while acting to prevent pollution **and increase resilience to climate change**, and prevent marine



temperature rise and ocean acidification, by keeping our efforts in line with the Paris agreement".

#### Pollution-free planet

- **OP15** : The EU and its MS fully support the text on the sound management of chemicals and wastes. However the EU and its MS regret the deletion of the mention “detoxify land, ocean and freshwater” as the only reference to the protection of nature seems too vague for triggering a proper implementation.

#### Marine Litter

- **OP16** : The EU and its MS greatly appreciate that marine plastic litter is given attention in the current Zero Draft and support the inclusion of such an operational paragraph.

#### Strengthen actions for nature

- **OP17** : The EU and its MS strongly support the wording proposed by the UNEA Presidency on CBD COP15 future achievements that should “address the direct and indirect drivers of biodiversity loss”. When referring to the adoption of an ambitious and transformative post-2020 global biodiversity framework, the text shall not only refer to the “clear and robust goals and targets” it sets, but also to the “robust transparency and responsibility mechanism” it must contain to “ensure implementation”.

We would also like to add “and a robust and effective implementation mechanism which includes improved instruments for monitoring, reporting, reviewing and preventing backtracking” after goals and targets as implementation is a key element besides the goals and targets of the GBF.

#### Implementation of the actions

- **OP18** : The EU and its MS agree on the message of the call to implement of the actions, commitments and resolutions adopted by the fifth United Nations Environment Assembly as well as previous UNEA outcomes, but we would want to highlight the urgency to take concrete actions to address the triple planetary crisis – climate change, biodiversity loss and pollution.

The EU and its MS would request a paragraph to support the international meeting Stockholm+50, entitled “a healthy planet for the prosperity of all – our responsibility, our opportunity”

#### Policy frameworks

- **OP19** : This OP is linked to international governance. The EU and its MS would like to strengthen the wording of this OP by clearly demonstrating the adherence to the concept that the protection of the environment should be subject to continual advancement in the implementation of laws, commitments and policy frameworks, at the global, regional, national, subnational, and local levels. Proposed text: “We recognize that the effective implementation of these actions requires enabling, coherent, ambitious and continually improving policy frameworks, good governance and law enforcement (...)”



EU and its MS would like to insert a paragraph saying that ministerial declaration will be the response to the invitation from the UN General Assembly resolution [A/RES/75/280](https://undocs.org/en/A/RES/75/280)<sup>1</sup> para 7 which invites UNEA5.2 “to provide input leading up to Stockholm+50”

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<sup>1</sup> <https://undocs.org/en/A/RES/75/280>