

Co-Facilitator's summary

Second workshop on implementation of General Assembly resolution 73/333

22 June 2021

1. The meeting was opened by H.E. Ms. Saqlain Syedah, Vice Chair of the Committee of Permanent Representatives, High Commissioner and Permanent Representative of Pakistan.
2. Mrs. Izabella Teixeira, co-chair of the International Resource Panel and former Environment Minister of Brazil, shared with the meeting her reflections on the context of global environmental governance relating to resolution 73/333. Among others, Mrs. Teixeira
 - Invited participants to create effective political dialogue by pursuing innovative political processes for engagement and dialogue which are action and science-oriented. This includes bringing issues, agendas and different actors closer together in the international political space to mobilize around environmental governance and improving coordination with ECOSOC.
 - Shared the assets of nurturing the power of UNEP in international environmental governance, particularly as an actor with secretariat and technical expertise; with the international capacity to mobilize, convene and engage international players; and with specific science-policy interface on the environment experience.
 - Reflected on how strengthening the United Nations Environment Assembly (UNEA) will in turn strengthen and integrate informed, science-based decision-making, connect regional and national realities with the demands of agendas, and provide concrete solutions to address environmental, social and economic needs.
 - Recommended that, going forward, preparatory meetings for UNEA should be organized; strategic perspectives of the secretariat and of national interests should be compatible; and that political outcomes to conventions and MEAs constituencies
3. In the ensuing dialogue between Mrs. Teixeira and participants, delegations who took the floor, inter alia:
 - Asked how to view UNEA, as a political assembly, and how it can develop in the future, including how UNEP can strengthen UNEA.
 - Called for inclusion of actors beyond political arrangements, including in the private sector, to improve data and utilize new tools in environmental governance.
 - Noted the importance of promoting and including strategic partnerships in more political spaces, including with civil society, in order to strengthen implementation and enforcement.
 - Asked how to effectively integrate science into decision-making at the global environmental level, and in particular, the global south.
 - Urged participants to strengthen and utilize UNEP's expertise in capacity building and connecting actors in building momentum for UNEA.
4. Mr. Dan Bondi Ogolla, Ph.D, former Director of Legal Affairs and Principal Legal Officer of the UNFCCC Secretariat (2013-2016), and former Legal Advisor of the Convention on Biological Diversity, shared with the meeting an overview of current international environmental governance. Among others, Mr. Ogolla

- Characterized the current state of international environmental governance in three realities, including multilateral environmental agreements (MEAs), institutional fragmentation, and increasing participation of non-state actors.
 - Indicated that the proliferation of MEAs has resulted in challenges of environmental governance, including a resulting piecemeal approach to international environmental governance which ignores the interdependence and interconnectedness of ecosystems and dissects environmental issues, resulting in gaps and lack of coherence in implementation.
 - Highlighted that the mechanisms for cooperation and collaboration exist at all levels of international environmental governance but have varying degrees of success and effectiveness. Enhanced synergies, cooperation and coherence are needed at three different levels: amongst the UN system organizations; between UN system organizations and MEAs; and between MEAs.
 - Recommended that changes in existing governance bodies, such as UNEA, MEAs, and the Environment Management Group (EMG), could be implemented to improve synergies, cooperation and coherence, and therefore improve global environmental governance. Rotated chairing of MEAs in the EMG, a mapping exercise of existing MEAs governance structures, and strengthened collaboration between MEAs and scientific bodies were suggested.
5. In the ensuing dialogue between Mr. Ogolla and participants, delegations who took the floor, inter alia:
- Asked whether a new overall framework is needed to coordinate and create coherence between MEAs.
 - Noted that compliance is a major issue in the fragmentation of global environmental governance, as some regimes do not have compliance mechanisms or means to ensure States have the resources to implement commitments undertaken.
 - Asked whether the problems with implementation for MEAs are related to other principles, such as common but differentiated responsibilities and the issue of transferring technology.
 - Suggested that while there is a clear need for synergies between MEAs and environmental legal institutions, other synergies should be explored and strengthened in regimes outside of MEAs, such as trade, commerce and finance. There are many interlinkages between some MEAs and the international trade framework.
6. H.E. Mr. Ado Lohmus, Permanent Representative of Estonia moved to the second part of the workshop, referring to the guiding questions presented in the concept note. The first question was, “Which building blocks under title “Strengthening international environmental governance in the context of sustainable development” might expand current mandates or fall outside the scope of resolution 73/333?” As it is an informal workshop, there is no specific order for participants to contribute. Mr. Lohmus opened the floor.
- Some Member States gave their general support of the building blocks proposed.
 - One Member State recalled that the building blocks could be improved with more streamlined text, including stressing the relevance of international governance and recognizing the role of MEAs, UNEA, UNEP, and science-based policy.
 - Some Member States suggested that the wording of the building blocks overstated the mandate of the CPR, which should be regarded as a coordination body, not a governing body developing international environmental law.

- Some Member States called for maintaining the independent effectiveness of MEAs, which could be undermined by overarching coordination of UNEP, or another body, across all MEAs. Fragmentation of international environmental governance was highlighted by these states as a positive value which provides flexibility required to reach agreement in capacities and priorities of many actors.
 - One Member State cautioned against the language of §3, which was read as increasing the role of UNEP.
 - One representative of civil society emphasized the importance of the building blocks, in particular as a political commitment to develop a framework. They voiced general support for aligning MEAs and UNEA, but highlighted the importance for a comprehensive framework.
 - One Member State emphasized that the discussion must be confined to the resolution. It also noted that issues outside the scope of this exercise should not be considered, such as questions of monitoring and compliance. It further underscored that any efforts proposed must take into account national capacities and respect for national priorities.
 - One representative of civil society called for a strengthening of institutional and interagency cooperation. The cooperation of the entire structure, including MEAs, is a key element that must be addressed and reflected in the building blocks.
7. Mr. Lohmus restated that there is no aim to create a legally binding instrument in this process. He then asked for comments on the second question of the workshop, which was, “What are the benefits of having United Nations Environment Assembly (UNEA) as a central collaboration platform that provides overarching policy guidance and sets the global environmental agenda?” As it is an informal workshop, there is no specific order for participants to contribute. Mr. Lohmus opened the floor.
- One representative of civil society noted that there is a global mandate for UNEP and UNEA, and as such, they can lead policy agendas in the task to win “ecological peace.” They noted that a global framework to address major global environmental challenges simultaneously can be achieved through the fulfillment of UNEP and UNEA mandates with the support of member states.
 - One representative of civil society highlighted the powerful role of UNEA in proposing solutions and fostering collaboration. In relation to §14 and 15, they proposed that regular intergovernmental sessions with regular reports to UNEA could increase political will of governments to share solutions, successful implementation, and other positive outcomes.
 - Some Member States generally agreed that strengthening the intersessional period of UNEA would provide a continuity of work.
 - One Member State emphasized that environmental challenges can only be met through multilateralism, and that UNEA provides a universal arena for States and stakeholders to meet on the environmental agenda in a crosscutting manner. It noted that it generally supports strengthening UNEA, provided the independent mandates of MEAs are also supported.
 - One Member State called for clarification in the wording which positions UNEA as a central collaboration platform. It further called for a respect to the hierarchy in mentioning UNEA as the forefront of the institutions and governing structures mentioned in the declaration.
 - One Member State noted that UNEP has an important role and potentially wider role in providing guidance on law and governance through the Montevideo Programme for the Development and Periodic Review of Environmental Law. It indicated that through this work,

UNEP plays a large part in raising awareness and providing technical support in integrating science-based policy and best practices into environmental law, beyond the decisions of UNEA.

- One Member State again welcomed the increased cooperation between MEAs, but cautioned against the current draft for duplicating or undermining other instruments and agreements in an effort to set an overarching framework role for UNEP. It voiced concern over the potential loss of independence of MEAs, and called for further clarity on this point.
8. Mr. Lohmus next asked for comments on the third question of the workshop, which was, “What action can the UN Environment Assembly (UNEA), as a universal body, take that would reaffirm and strengthen the role of the United Nations Environment Programme (UNEP) as an authoritative advocate for the global environment?” As it is an informal workshop, there is no specific order for participants to contribute. Mr. Lohmus opened the floor.
- One representative of civil society voiced support for UNEA to put forward a global framework for environmental transboundary damages, and to support capacity building through the Montevideo Programme.
 - One Member State proposed a number of actions, including to promote collaboration between UNEP and other UN bodies with the inclusive participation of civil society and the private sector; to assist member states in the implementation of their national commitments towards international environmental law; to provide capacity building to facilitate global and national initiatives, in particular relating to funding; and to promote innovative approaches in environmental governance, including in post-pandemic rebuilding.
 - One Member State reemphasized UNEA’s role as the highest universal decision-making body and called for the declaration to stress the importance of Member States commitments following the outcomes of UNEA, and the inclusion of other stakeholders to implement the outcomes of UNEA. It recommended strengthening UNEA by mainstreaming the environment in the UN system and UN processes and reinforcing the role of UNEP within the UN system.
 - One Member State recommended that UNEA could be utilized to provide strong leadership in the call for implementation, especially by providing leadership for the means of implementation, such as financial resources, capacity building and transfer of technology.
 - One Member State called for strengthening of UNEA and UNEP to use science-based approach in their processes.
9. Mr. Lohmus next asked for comments on the fourth question of the workshop, which was, “How can the United Nations Environment Programme (UNEP) increase its visibility and engagement in international processes?” As it is an informal workshop, there is no specific order for participants to contribute. Mr. Lohmus opened the floor.
- One Member State called for UNEP to avoid work that would overlap with other bodies and mandates, and increase visibility instead by working on issues not yet addressed.
 - One representative of civil society asked for UNEP to take a stronger leadership role in international processes, particularly as they relate to other areas of sustainable development, acting to draw attention to the connections between human impacts and the environment in UN processes. They noted that UNEP and UNEA can play a role in attaining a level playing field in environmental standards linked with policymaking, market regulation, and the ongoing development of international environmental law.

- One Member State called for increased collaboration between MEAs and UNEP to ensure activities are complementary, while maintaining independence. It was of the view that collaboration while respecting independent mandates is a great benefit to the environment and the visibility of UNEP.
 - One Member State called for increased visibility of UNEP through engaging other UN entities and agencies. It further invited the group to consider strengthening the UNEP financial base, which could be addressed in the declaration.
 - One Member State, in response to the raised issue of funding, noted that while the amount of funding for UNEP has increased, the participating countries has not, and it therefore called on more countries to participate in the funding to support the visibility of UNEP.
 - One Member State suggested that promoting a coherent implementation of the environmental dimension of sustainable development within the UN system could strengthen the visibility of UNEP. UNEP could provide capacity building and support to countries, disseminate environmental information and promote a strong science-policy interface. It supported the work of UNEP in promoting actions on topics not covered by other conventions, such as the global assessment on the environmental rule of law. It further called for UNEP to support countries in their achievements of commitments and to promote greater synergies with other UN agencies.
10. Mr. Lohmus noted that previous discussions have further highlighted an integrated and comprehensive approach is necessary, supporting the roles of UNEP and UNEA. He then moved to the fifth and final question of the workshop, which was, “What are the benefits of achieving greater collaboration at the policy level between multilateral environmental agreements (MEAs) including the Rio Conventions as well as between MEAs and UNEA and how could such collaboration be strengthened?” As it is an informal workshop, there is no specific order for participants to contribute. Mr. Lohmus opened the floor.
- One Member State supported increasing the synergies and cooperation between UNEP, UNEA and MEAs, and also called for the EMG to have an important role. It further called for a strengthening of international environmental governance through supporting ongoing processes such as the implementation of the 2030 Agenda, the Rio Convention and other international agreements.
 - One Member State called for greater collaboration through UNEP organizing workshops in order to address thematic overlaps, foster exchange of good practices, and increase capacity building.
 - One representative of civil society voiced appreciation for UNEP and its tools, including InforMEA, which could be upgraded to identify overlaps.
 - One Member State emphasized that collaboration can be strengthened at the implementation level, through collaborative monitoring and reporting.
 - One Member State called for greater collaboration through enhanced coherence between MEAs, institutions, and national policy. Linking problems through different MEAs is necessary, as demonstrated by examples like One Health and Making Peace with Nature.
 - One Member State noted that collaboration in action, including through collaborative allocation of resources, will lead to more sustainable implementation. It cautioned that there are risks when measures are taken in one area can lead to negative environmental effects in other areas.

- One representative of civil society emphasized that policy coherence is crucial, and noted that there is currently no common platform for MEAs and other international organizations to share information, challenges, or discuss coordination through policy and joint implementation. They emphasized that it is essential for UNEA to promote collaboration by leading in the area of promoting compliance with MEAs.
11. Mr. Lohmus thanked participants for the discussion and invited participants to send written inputs and informed the meeting that the next workshop will take place on 7 July.
 12. The Co-Facilitators closed the meeting.