

UNEA 5.2 must drive impact #ForNature now Joint Regional Statement

**from the virtual Regional Consultation for Major Groups and other Stakeholders
in the European Region held on 14 December 2021**

**To the UNEA 5 Presidency and Bureau
To the CPR Chair and Bureau
To Environment Ministers and the Permanent Representatives to UN Environment**

**From Major Groups and Stakeholders in the European Region including Caucasus,
Central Asia, Eastern Europe, European Union (with Norway, Switzerland and UK) and
Western Balkans and Turkey**

While the COVID-19 pandemic has put the brakes on our way of living, the triple environmental crises of climate breakdown, rapid biodiversity and ecosystems loss, and pollution and waste from unsustainable consumption and production patterns, impacting even the remotest corners of the planet, continue to threaten peace, health and wellbeing of current and future generations. The pandemic has laid bare the fragility of both our own and the planet's health, the lack of cooperation between Member States, CSOs and national governments and their peoples as well as the flaws in our social and economic systems with millions of people having lost their jobs without any social protection, women being particularly impacted. **The pandemic calls for courageous political decisions now to attain an equitable and sustainable future ensuring the wellbeing for all.**

The 2020 UN Secretary-General's report on progress towards the Sustainable Development Goals acknowledges the impacts and implications of COVID-19 as the worst human and economic crisis of our lifetimes. We need urgent joint action now to fundamentally change our production and consumption patterns and put in place policies, legislation and actions that address the triple crisis. **Therefore, we call on our governments to make the best possible use of the Decade of Action to deliver the Sustainable Development Goals, to speed up global environmental decision-making with a participatory approach, and to increase the pace and scale of implementation efforts considering the imperative to vastly increase positive efforts to live in harmony with Nature and undo the harm done.**

We expect **clear solutions to emerge from UNEA 5.2**. To realise the full potential of UNEA 5.2, we need to maintain and build momentum along with the following important processes: a global response to plastic pollution, the incorporation of a Nature-centred approach in all of our actions, and the strengthening of global environmental law and governance (following Res 73/333). Strengthening global environmental governance requires the collaboration of peoples and governments working closely together to enforce environmental law at all levels (including through the Montevideo V Programme hosted by UNEP). Moreover, UNEA 5.2 needs to pave the way for addressing emerging environmental challenges that are so far not regulated, in ways fully consistent with human rights and social and gender equity.

Recognising the true value of Nature and biodiversity in achieving sustainable development and focussing on transformative changes to our relationship with other species

We agree with the draft report provided by the Executive Director of the United Nations Environment Programme, Inger Andersen, in which she stresses that Nature underpins our economies, our societies and our very existence, as our life support system, and provides us with clean air, clean water, food and shelter, as well as a means to limit the impacts of climate change. **We need to recognise and cherish the true value that ecosystems provide us with and learn to accurately interpret what Nature can teach us.** We must introduce **greater understanding of Nature-centred biodiversity-stewardship** through education and life-long learning. **Independently of our human needs, we must acknowledge the intrinsic value of Nature and biodiversity,** as recognised by the CBD, empowering those who know and discover how to live in harmony with Nature. A growing number of jurisdictions have started to codify the rights of Nature to be protected from destruction and pollution. Ecuador and Bolivia have incorporated the Rights of Nature into their national constitutions.

We need to hold the governments and companies that destroy and pollute ecosystems to account. We need governments to transpose into their legislation the newly agreed human right to a healthy environment. It is urgent to address the key drivers of destruction, including changes to land and sea use, the direct and unsustainable exploitation of organisms for commercial trade and other purposes, unsustainable diets and the agro-industrial systems that feed them, the steady increase in extraction of raw materials and the use of pesticides and other chemicals that irreversibly decimate pollinators and insects and pollute soils and water sources. The destruction and pollution of ecosystems can regularly be traced back to specific types of corporations such as those producing ‘forever chemicals’, mining giants, transnational corporations in the livestock and agro-industry sector and oil companies. **We need legally binding measures to make companies liable for environmental harm across their value chains.** We also need **strong protection** for those at the frontline, our **environmental defenders**, who are often threatened and even killed when calling out harmful business practises.

Ongoing research and multilateral UN processes continue to underscore the **devastating environmental consequences of wars and armed conflict.** **It is vital that the legal framework to prevent harm is strengthened,** and we urge states to welcome the International Law Commission’s **draft principles on the *Protection of the environment in relation to armed conflicts*** at the UN General Assembly in 2022. It is also critical that **the environmental legacy of conflicts is properly addressed** in response and recovery work. We need to develop and implement actions for Nature that can **prevent, minimise and remediate conflict-linked environmental degradation** and strengthen climate resilience in conflict-affected countries.

The rights and vital role of Indigenous Peoples, local communities and women in biodiversity conservation must be recognised and supported through effective and equitable policies and regulations that recognise these rightsholders group’s governance and tenure rights over their lands and territories.

The undersigned Major Groups and other Stakeholders welcome the focus of UNEA 5 environmental policies that also achieve eradicating poverty and creating quality, sustainable jobs, ensuring human, animal and ecosystem health, stopping climate change and achieving sustainable food systems. We recognise the need for all of us to ensure that the UNEA 5 process results in a transformation of **our notion of development to one that is in harmony with Nature and includes the wellbeing of all forms of life, including human beings from every walk of life.** We need government support **to end harmful business practices and to phase out toxic and polluting technologies and chemicals.** We need **Just Transition policies** and measures to support those impacted most, workers and their families and communities, and we need strong policies to tackle the root causes of existing and growing

inequalities. Together, we must **stop the financing of short-sighted, unjust or false solutions** and direct funds towards regenerative and circular economies. We welcome the Human Development Report 2020: “The Next Frontier: Human Development and the Anthropocene” and its recognition that a “human-centric worldview is blinding humanity to the consequences of our actions”. There must be close collaboration between governments at all levels and the strong engagement of the public at large to take actions to conserve, sustainably use, and restore ecosystems and be at the forefront of planetary stewardship.

Building forward better

The Covid-19 pandemic has revealed the damaging, short-sighted and unsustainable state of our current economic and social system, which is based on the overexploitation of both natural resources and the, often gendered, overexploitation of cheap or even unpaid labour undertaken in extremely poor and risky conditions. It gives us an opportunity not just to build back, but to build forward better with green and sustainable economies and societies. Let this be the wake-up call for a paradigm shift to overcome the problems deeply entrenched in our economic and social systems.

The **Sustainable Development Goals (SDGs), the Paris Agreement, the Convention on Biodiversity’s Strategic Plans and other commitments made under Multilateral Environmental Agreements need to be the compass for the recovery.** They should guide the way to tackle the root causes of poverty, hunger and inequality globally, to establish social and health protection systems that are accessible to all, and to build a climate and biodiversity-friendly- and inclusive economic model that serves the wellbeing of humans, animals and the planet. We must grasp the opportunity to use UNEA 5.2 to ensure that the recovery funds will not go to bail out polluters but instead will place strict conditionalities on financial instruments for a transition towards long-term sustainability and to divest now from dirty technologies and industries. Recovery measures must privilege small and medium-size enterprises, in particular those with strong social and environmental missions and innovative, equitable business models serving local communities and economically marginalised groups like women.

We must all constantly address the link between environmental pollution and degradation and their disastrous impact on our **rights to life and health, with disproportionate high impacts on vulnerable populations**, including women and children, young and older people, people with underlying health problems, minorities and low-income groups. Together, we must enable formal and non-formal sustainable development education (SDG4.7) and environmental solution-focused programs that engage young people as key rights holders. And we must together stand strong for our human and environmental rights to ensure **full transparency and participation of the public and stakeholders in decision-making**, in particular around the recovery measures and the protection of the civil society space and environmental defenders, who are increasingly under threat.

Unfolding the power of strong international environmental governance, UNEP@50 and Stockholm +50

The undersigned civil society organisations and other stakeholders and rights holders strongly support the process following UNGA Resolution 73/333 (formerly known as Global Pact for the Environment). We must together **re-engage in the urgent discussion to close the gaps in international law and secure its enforcement** as identified, amongst others, in the UN Secretary-General’s report on the subject. Resolution 73/333 requires a powerful and inspirational political declaration and Action Plan before February 2022 to strengthen the implementation of international environmental law and environmental governance to avoid Stockholm+50 becoming a meaningless gathering without concrete outcomes or ambitions. 2022 must be the year in which UNEA 5.2 kicks off the process to establish a Global Action Plan to strengthen and enforce environmental law by 2025. This package should include objectives, targets, a timeline and indicators, and means of implementation (cfr 2030 Agenda Process). It is critical that action on all aspects of 73/333 be our central goal at all times.

Both UNEP@50 and Stockholm+50 require **close cooperation with Major Groups and Stakeholders**. We can emulate the lessons from the post-2015 development agenda process, which captured the voices and contributions of millions through transparent dialogues and consultations that informed the development of the SDGs. **Co-creation of the agendas of leadership dialogues, sufficient civil-society lead side events and co-chairmanship by civil society in particular youth** should be guiding for the organisation process.

UNEP's future role depends on the support of people. Since UNEP's inception, a healthy environment has always been referred to as a prerequisite for socio-economic development. Poverty eradication cannot be achieved without truly environmental policies and laws, while sustainability cannot be achieved without poverty eradication. We need a **powerful UNEP working closely with both governments and wider society** at all levels to tackle the delicate relationship between global wellbeing and the environment. Together we must build a sustainable economy to ensure socio-economic prosperity without the irreversible overuse of natural resources and the inevitable environmental degradation that follows. The commemoration of UNEP@50 and the 50th anniversary of the 1972 UN Conference on the Human Environment must serve to **build a global framework for stronger environmental governance, strengthen environmental law and guarantee enforcement at the national levels**.

In 2022 it will be 10 years since world leaders renewed their political commitment to sustainable development at Rio+20. They committed to strengthening the institutional framework for sustainable development articulated in **paragraph 88 of the "The Future We Want"**. However, ten years on, implementing "The Future We Want" remains woefully incomplete. This must change, and effective, transparent engagement between UNEP and civil society is key. **Stockholm+50 provides the opportunity for bold steps to accelerate global environmental action**, such as agreements for a moratorium on geo-engineering and sea-bed mining, and a short-term timeline for a full transition to agro-ecology and enacting the human right to a healthy environment.

Beat plastic pollution now

Governments, with input from all levels of society, must **maintain the momentum towards UNEA 5.2 to adopt a mandate to start negotiations for a legally binding instrument to tackle plastic pollution** that places the rights of people and Nature at its core, and support the draft resolution proposed by Peru and Rwanda. In this endeavour, it is necessary to adopt a **life cycle approach**, which must cover the phase-out and reduction of plastic up-stream and middle-stream and the remediation of polluted sites, address the health and climate impacts of plastic pollution, and secure full implementation and enforcement of the polluter pays principle. It is critical that the focus of the legally binding instrument is on **reduction and prevention, especially the elimination of the use of single-use plastics and plastic packaging**, and the promotion of reuse systems. Recycling alone will not solve the plastic crisis. It is important to take note of and **avoid false solutions** to these and other environmental problems often promoted by certain business stakeholders with vested interests such as bio-based or biodegradable plastics or chemical recycling. The negotiations need to include those communities most impacted by plastic pollution along its life cycle, including **communities affected by pollution generated upstream during extraction of fossil fuels and production, from the petrochemical industry, from landfills and incinerators, the informal waste sector, and those communities depending on marine resources**. The process to discuss a legally binding instrument should not be an excuse to postpone immediate action to tackle the plastic crisis.

Emerging issues

The planet is under threat of new and emerging environmental risks that need to be addressed swiftly and effectively. We are in a time where an unprecedented erosion of biological and

cultural diversity stands in stark contrast with the rapid development of disrupting technologies, from data-driven technologies to biotechnologies and Earth systems manipulations. Examples include geoengineering and gene drive organisms. We, therefore, call on you to ensure that UNEA5 is used as the global process to identify, recognise and prepare for emerging threats and to address environmental challenges that are not currently regulated through global governance. These issues include but are not limited to:

- the **sustainable, equitable and human-rights compliant governance of our natural resources and raw materials** including a strengthening of the Free, Prior and Informed Consent (FPIC) and the right to say no, giving the International Resource Panel (IRP) the mandate to guide this.
- the threats posed to some of the **last almost untouched parts of our planet** through deep-sea mining, oil and gas exploitation and transport, and other harmful techniques to exploit or pollute our oceans' resources.
- the need for **soil protection** to reduce soil depletion and pollution by highly hazardous substances from industrial and agricultural sources that will make food production no longer feasible overall. Avoiding soil degradation is crucial to ensure food security. Recognising that the soil is alive with microbes, roots, and mycorrhizal fungi whose complex soil structures can be undermined by synthetic fertilisers that damage the nitrogen-fixing, carbon sequestration, and water retention services. Therefore, sustainable land management practises are measures for mitigation and adaptation to climate change.
- the role of **unsustainable livestock farming** in triggering land and ecosystem degradation, including through nitrogen disposition, zoonotic diseases pandemics, inhumane treatment of animals and climate change, and the need to redirect perverse incentives and investments to more sustainable food systems and diets
- to develop the capacity for technology horizon scanning, technology assessment and monitoring and to make sure to put **technical cooperation** in the context of **precaution, participation, free, prior informed consent, liability and redress**, and the rights-based approach.

Finally, we call upon all member states to recognise that **no environmental challenge can be addressed without full respect for the rights of, and collaboration with, rights holders on the ground**, including Indigenous Peoples, local communities, women and older persons, peasants, workers and youth and civil society in general, and the rights of the future generations. It is in the interest of all that the work and initiatives of rightsholder groups be financially and politically supported to enable us all to jointly contribute to stronger global environmental policies, without fear of reprisals, to solve the critical environmental challenges of our time.

Core messages from CSOs in the EU (+EFTA, UK)

- The European countries should recognise their important **contribution and their responsibility** to environmental degradation and pollution (including waste exports). In view of this situation, Europe should **lead by example**, and this should be reflected in the resolutions supported and in full support for a legally binding UN treaty on **corporate accountability** and other due diligence legislation. Such legislation should also cover the financial sector and promote sustainable banking practices.
- It is essential to establish strong environmental **governance frameworks** that recognise **rights** to a healthy environment, which is grounded on meaningful participation of the public and stakeholders, and on the protection of environmental defenders. Putting legally binding regulations for member states is crucial. Enforcement on a national level should be guaranteed. This will also avoid interference from corporate power interests leading a country or a region to fail in addressing perverse incentives or flawed policies and regulations in general. Stakeholders are worried about the possible **corporate capture** of the European countries' positions in the negotiations on the resolutions, including on the **science-policy interface** and the proposal for an intergovernmental

panel on chemicals and waste. The UNEA Science-Policy Forum should be maintained as such, and not turn into a Science-Policy-*Business* Forum.

- The stakeholders and rights holders insist on the links between the **social/economic crisis** and the triple environmental crisis. This should be dealt with in conflict management/analysis, and linked environmental impact of armed conflicts, and on policies that deal with the climate-linked environmental crises that could lead to social and political tensions and conflicts. The EU, EFTA countries and the UK should also pay more attention to dealing with the social impact as an effective way to deal with the environmental impact. The concept of **Just Transition** (including social dialogue, protection of labour rights, gender justice and human rights) is an important facilitator for this.
- Highlight the sufficiency and the **limits to growth and planetary boundaries**. A too narrow focus on the “circular economy” should be avoided. The green transition risks being a catalyst for mining and increased natural resource exploitation and environmental destruction, not only in the Global South but in Europe (e.g., Lithium in Western Balkans). This transition should be achieved through **stronger monitoring systems**: reporting progress on the implementation on national levels on a yearly basis on the environmental dimension of the SDGs during the week of the World Environment Day is recommended. That would support the HLPF process.

Core messages from CSOs in Eastern Europe

- The **environmental agenda is not a priority in our countries** due to the current regional situation, which is characterised by armed conflicts, the difficult political situation, the persecution of environmental activists and the closure of non-governmental organisations, creating problems for their functioning in a number of countries, economic problems, and the complicated situation with the COVID-19 pandemic. The ongoing processes make the green agenda even less significant both on the state and public levels and our countries are **not on the right track to achieve significant environmental progress**. An estimated 90% or more of recovery investments currently go to environmentally unsustainable activities.
- To move to a green path of development, the provision of funding should be based on the **promotion of green, sustainable and eco-systems-based solutions**. It is unacceptable to finance projects that increase the damage to the environment, human health and wellbeing.
- Urgent actions are needed to **address toxic chemicals and waste**. Our countries must single use plastic (such as bags) and highly hazardous pesticides, improve the management of chemicals and waste, including endocrine disrupting chemicals and e-waste, stop the illegal trade in chemicals and waste, and ensure full disclosure of toxic chemicals in consumer products along the supply chain. All countries should urgently accede to the Ban Amendment under the Basel Convention, ensure compliance with the amendments to the Basel Convention on plastics and support the extension of the current SAICM until a new instrument for the sound management of chemicals and waste beyond 2020 is adopted.
- We support the development and adoption of a **new legally binding global agreement on plastics** (as outlined above).
- To prepare for UNEA5.2 and effectively implement its decisions, we believe it is necessary to intensify **national dialogues** with the participation of governments, non-governmental organisations and other stakeholders.

Core messages from CSOs in the Western Balkans and Turkey

The NGOs representing civil society from the Western Balkans and Turkey call for:

- Action for **food sovereignty** for a growing population based on biodiversity friendly solutions. The region's **natural assets need to be sustained** and generate alternative economic opportunities such as improving agro-ecological technologies, new markets for

sustainable products, reusing farm waste (instead of burning) and supporting sustainable tourism.

- Action to align **development plans with EU Environmental Legislation and international agreements**. Natural resource exploitation, especially those with negative impact on nature, environment and human health, such as extraction and mining development in the region of Western Balkans and Turkey need to strictly apply human rights, free and prior informed consent of local communities and be aligned with the Sustainable Development Goals. We need clearer action for the **enforcement of environmental regulations**, especially regarding sustainable management, financing and monitoring of protected areas, including monitoring of species and habitats.
- Action for **public participation in all decision-making process** levels. Support for active civil society engagement and policy advocacy as well as widespread environmental education are necessary in the development of democratic and participatory societies.
- Action to recognize and address the **transboundary problems existing in the region which regard water contamination and air pollution, waste and chemical management**. Development of a regional network to advance scientific and technical cooperation for governance of shared water, land, and ecosystem services is needed.
- Action to **ban single use plastics** in line with EU regulations.

Core messages from CSOs in the Caucasus

The NGOs representing the Caucasus call for:

- Actions to further promote reforms, including harmonisation with best international practices in the existing **chemical legislation** in the Caucasus countries. NGOs bring forward proposals which are a step forward towards reforming the chemicals and waste management system in the Caucasus. By committing to meeting the requirements and implementing safe chemical alternatives and processes, governments and corporations of the Caucasus region will pave the way for healthy economies and healthy societies in the EECCA region and globally.
- Take a first step in this direction by reforming policies in the area of chemicals and waste. This change will accelerate implementation of Agenda 2030 and multilateral agreements. The Caucasus countries need to protect people and, first, the most vulnerable groups of the population, namely, children, women, the elderly, the disabled, workers including farmers and other marginalised groups. As a priority, action must be taken to **phase out the highly hazardous pesticides (HHPs) and toxic chemicals in products**, develop safer alternatives, protect high-risk communities, and ensure that those responsible for creating and using hazardous chemicals are fully financially responsible for remediating health damage.
- Support the call for global action to curb plastic pollution now, through coordinating and reinforcing existing agreements, and through a new global agreement on plastic pollution throughout its lifecycle. **Plastic pollution in the Caucasus** has become pervasive in agricultural soils, posing a threat to food security, people's health, and the environment. This is particularly important in the context of the pandemic which has resulted in a further acceleration of plastic pollution, damaging the unique ecosystems of the Caucasus region, and posing greater threats to the ecosystems and food systems already under pressure due to accumulation of toxic chemicals such as HHP in agriculture.
- Acknowledge the relevance of wildlife use for local populations but take urgent measures to reduce the risk of zoonotic spill overs and future pandemics using regulated, managed, and monitored nature resources to ensure that they are safe, sustainable, and legal. Loss of biodiversity, wood waste issue- South Caucasus is one of the twenty global biodiversity hotspots. To reduce the risk of COVID 19 and other zoonotic spill overs and future pandemics measures are required for restoration of healthy and resilient ecosystems.

Core messages from CSOs in Central Asia

- **Central Asia’s water resources, along with mountain, forest and pasture ecosystems, continue to deteriorate** due to economic reasoning prevailing over the environmental one, flawed natural resources management, lack of inclusion and transparency, and insufficient regional interaction.
- Call on the governments of the Central Asian countries to heed the **voice of science**, recognise the need and urgency for fundamental and **systematic change**, foster comprehensive regional cooperation and abandon the “business-as-usual” model.
- Change to a **circular economy, sustainable and climate adaptive agriculture and green energy** to reduce the damage caused by the current unsustainable economic system.
- Pursue **conservation and restoration of natural ecosystems**, recognising their primary role in maintaining climatic stability and wellbeing of the region’s population. Develop policies and legislation considering the transboundary nature of environmental issues and using water basin, ecosystem-based and human rights-based approaches to address them.
- Adopt an **inclusive approach and bottom-up principle to engage citizens and civil society** in developing related policies and implementing respective strategies and programs at all levels. The entire political and legislative process must be gender-sensitive and based on democracy and the principle of intergenerational equity.
- Expand and strengthen **regional dialogue and cooperation** in the field of combatting the climate crisis and environmental protection through joint agreements, programs and projects that will further develop partnerships and good neighbourly relations between the countries.

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