

**UNEA-5.2 Highlights:
Monday, 28 February 2022**

On Monday, 28 February 2022, the resumed fifth session of the UN Environment Assembly (UNEA-5.2) opened at UN Environment Programme (UNEP) headquarters with high expectations for the establishment of an intergovernmental negotiating committee (INC) on plastic pollution. Throughout the day, delegates met in plenary, and in a Committee Of the Whole (COW), which swiftly initiated three contact groups to address, *inter alia*: sustainable lake management; environmental aspects of minerals and metals management; science policy panel for chemicals, waste and pollution; and nature-based solutions (NbS). In a stocktaking plenary, the COW approved the Political Declaration of the Special Session of UNEP@50. In the evening, the Kenyan government hosted a reception.

Plenary

Opening: UNEA 5.2 President Espen Barth Eide (Norway) opened the meeting, reflecting on the half century achievement of environmental protection since the Stockholm Conference, citing UNEP’s supporting role in combating ozone depletion, pollution, climate change, and other crises. He reminded states that they are not called to relinquish their sovereignty, but to use diplomacy for the common good. He urged delegates to deliver on the noble mission of ending plastic pollution and drew attention to the importance of circularity, announcing that the meeting gavel had been made from recycled plastic by Gjenge, a Nairobi-based recycling startup.

UNEP Executive Director, Inger Andersen, stressed UNEA’s responsibility to deliver solutions addressing the triple planetary crisis of climate change, biodiversity loss, and pollution in times of turmoil, when multilateralism is more important than ever. She applauded the hard work and progress on various resolutions during the resumed session of the fifth meeting of the Open-Ended Committee of Permanent Representatives (OECPR-5.2), highlighting the need to address plastic pollution to deliver a historic environmental agreement.

Zainab Hawa Bangura, Director-General, UN Office at Nairobi (UNON), called for a sustainable and inclusive COVID-19 recovery, setting the world on a path towards prosperity for all. Stressing the opportunity to reflect on the past and envision the

future, she underscored that unity is required to address the triple planetary crisis.

Keriako Tobiko, Cabinet Secretary for the Ministry of Environment and Forestry, Kenya, warned that the consequences of our actions in destroying, commoditizing, and privatizing nature have a profoundly negative effect on our lives. He underscored the principles of stewardship and intergenerational equity, and urged for action on the ground for the benefit of communities worldwide.

Senegal, for the AFRICAN GROUP, expressed appreciation for the remarkable work accomplished ahead of UNEA-5.2. Highlighting 2022 as “an African year for the environment,” he recalled that Africa would take up the presidency of UNEA-6. He noted that a successful UNEP@50 commemoration would signal the importance of UNEP on the global agenda, and affirmed that the Presidency of UNEA-6, Morocco and Uganda, will work in collaboration with others, to strengthen actions for nature to achieve the SDGs.

The EU, also for SERBIA, BULGARIA and UKRAINE, expressed displeasure regarding the Russian Federation’s act of aggression towards a neighboring country, calling on the Russian Federation to deescalate, dialogue, cease actions, unconditionally withdraw, and fully respect Ukraine’s sovereignty. On UNEA-5.2, he anticipated the launch of negotiations on a legally binding instrument (LBI) on plastic pollution. He prioritized a new science-policy panel on chemicals, waste and pollution, and asserted that UNEA is the right place and time to agree on an NbS resolution. Through a point of order, SERBIA clarified that they are not aligned with the EU statement.

Exercising a right of reply, the RUSSIAN FEDERATION stressed that for the past eight years, “the Kiev regime has sabotaged the Minsk agreement, shelling the Donbass area, killing civilians, and destroying civilian infrastructure,” and lamented that the EU has done nothing to alleviate the suffering of peoples in Donbass.

Colombia, on behalf of the G-77/CHINA, highlighted the opportunity presented by UNEA-5.2 in bridging action on international environmental action for addressing the triple planetary crisis, especially stressing the efforts to tackle global plastic pollution.

Oman, for ASIA-PACIFIC GROUP, and the LEAGUE OF ARAB STATES, stressed that urgent action is required to prevent plastic pollution, informed by circular economy principles. He noted that because of the COVID-19 pandemic, some countries in the region would require support to enable a transition to more sustainable pathways.

Chile, for the GROUP OF LATIN AMERICA AND CARIBBEAN COUNTRIES (GRULAC), reaffirmed their commitment for ambitious outcomes at UNEA, stressing that this would be measured by the ability to trigger necessary changes, including ensuring adequate means of implementation and supporting those particularly vulnerable to the triple planetary crisis.

MAJOR GROUPS AND OTHER STAKEHOLDERS presented outcomes of the 19th Global Major Groups and Stakeholders Forum (GMGSF) held online from 7-10 February 2022, which, among others, welcomed negotiations on a LBI on plastic pollution, and the passing of a stand-alone resolution on the animal welfare-environment and sustainable development nexus.

FARMERS MAJOR GROUP lamented the absence of the word “farmer” in all 17 resolutions forwarded to UNEA. He highlighted farmers’ rejection of the market-based solutions proposed at the UN Food Systems Summit 2021, which failed to recognize traditional knowledge.

INDIGENOUS PEOPLES MAJOR GROUP highlighted the need to recognize rights of Indigenous Peoples as part of NbS, and called for inclusion of their group in the political declaration of UNEA 5.2.

WOMEN MAJOR GROUP expressed concern over the “deprioritization” of the rights of women, noting the importance of addressing land tenure rights in resolutions on NbS and mineral resources.

SCIENTIFIC AND TECHNOLOGICAL MAJOR GROUP reported on the Scientists’ Declaration on the *Need for Governance of Plastics Throughout Their Life Cycles* from a webinar held on 16 February 2022, which highlights that a robust global treaty for plastics is required to address the impacts of plastics on climate, biodiversity, human health, and the environment.

WORKERS AND TRADE UNIONS MAJOR GROUP highlighted the need to recognize the role and interest of recyclers in plastics management.

The CHILDREN AND YOUTH MAJOR GROUP noted that the Youth Environment Assembly proved that the youth have true power and the ability to catalyze change, urging for the adoption of a landmark resolution on plastics.

The BUSINESS AND INDUSTRY MAJOR GROUP highlighted the resolutions on plastics and the sound management of chemicals, stressing that the business community is committed to being part of the solution.

Election of Officers: The Assembly elected Silvano Tjong-Ahin Minister of Spatial Planning and Environment, Suriname, as Vice-President.

The Assembly elected Andrea Meza Murillo, Minister of the Environment and Energy, Costa Rica, as COW Chair and Selma Haddadi, Permanent Representative to UNEP, Algeria, as COW Rapporteur.

Chair Eide noted that the COW will have to conclude its work on Tuesday and report back to the Assembly on Wednesday. He deferred consideration of agenda items on international environmental policy and governance issue, and the agenda and dates of UNEA-6 to the COW. He further deferred consideration of credentials to closing plenary on Wednesday.

Adoption of Agenda and Organization of Work: The Assembly adopted the agenda (UNEP/EA.5/1/Rev.2) and organization of work (UNEP/EA.5/1/Rev.2/Add.1).

Report of the Committee of Permanent Representatives: OECPR Chair Luisa Fragoso, Portugal, reported on the work of the OECPR and its outcomes (UNEP/EA.5/INF/2/Rev.1). She noted that the draft ministerial UNEA-5.2 declaration had been endorsed and would be presented to the Assembly. She highlighted tireless efforts to progress on the draft resolutions, particularly over the weekend, noting that five resolutions had either been approved or merged, explaining that agreement had now been reached on: the sound management on chemicals and wastes, and on creation on the creation of an INC. She stated that 13 draft resolutions to be put before COW. Chair Fragoso reported that following informal consultations, the draft political declaration on UNEP@50 had also been approved, subjected to confirmation of one preambular paragraph by one delegation.

Programme of work and budget and other administrative and budgetary issues: UNEA President Eide noted that this issue had been discussed and concluded at the first part of UNEA-5 in 2021.

Contributions to the meetings of the HLPF and implementation of the environmental dimension of the 2030 Agenda for Sustainable Development: UNEA President Eide proposed, and delegates agreed, to defer consideration of this issue to a future date.

National Statements: IRAN called on members not to ignore the different challenges facing countries across the world, in accordance with the principle of common but differentiated responsibilities.

COSTA RICA urged states to strive for ambitious commitments, stressing that we are in a decisive decade for action. She also welcomed the recognition of the human right to a healthy environment.

SOUTH AFRICA underscored the significance of the resolutions on green recovery and circular economy, and emphasized the importance of international support through financial resources, technology transfer, and capacity building.

INDONESIA called for support from UNEP for facilitating the mainstreaming of sustainable lake management and strengthening collaboration between states.

BAHRAIN, with COSTA RICA, BELGIUM, FRANCE and others, stressed the importance of commencing the work of the INC for an LBI on plastic pollution. BELGIUM also highlighted

the significance of establishing a science-policy panel on chemicals, waste and pollution.

For more on the national statements delivered, please refer to <https://www.unep.org/environmentassembly/unea-5.2/statements>

Committee of the Whole (COW)

Opening and adoption of the agenda: COW Chair Andrea Meza Murillo, Minister of Environment and Energy and Vice President of UNEA, Costa Rica, opened the COW, and announced Tuesday as a “hard deadline” for the completion of the Committee’s work.

Acting UNEP Deputy Director Sonja Leighton-Kone stressed the need to take the state of the environment seriously and called on the COW to agree on resolutions to enhance global environmental protection.

Delegates adopted the agenda (UNEP/COW.5/1). COW Chair Murillo proposed, and delegates agreed, to establish three contact groups to address the pending resolutions from the OECPR.

International Environmental Policy and Governance: Chair Murillo announced that the OECPR had approved three resolutions on: the animal welfare-environment and sustainable development nexus (UNEP/EA5/L10); sustainable nitrogen management (UNEP/EA5/L12); and the Future of the Global Environment Outlook (UNEP/EA5/L20). She also noted that the OECPR had submitted 13 resolutions to UNEA for further consideration, highlighting informal consultations on these drafts over the weekend. Delegates then endorsed the most recent drafts as a base for discussions.

The COW approved the resolution establishing an INC on plastic pollution, titled “End plastic pollution: Towards an international LBI” (UNEP/EA5/L23), which they forwarded to UNEA for adoption. OECPR Cluster 1 Co-Facilitator Dampety Bediako Asare (Ghana) praised the group for the courage and wisdom in their work on this resolution, highlighting that the text was agreed in the early hours of Monday morning.

JAPAN noted that his country was looking forward to working on beating plastic pollution through the INC and through the Osaka Blue Ocean Vision. Thanking Rwanda, Japan, and India as the original drafters of the resolution, PERU lauded delegates for their commitment to deliver a binding instrument to combat plastic pollution. Welcoming the resolution, VENEZUELA expressed reservations on references to the UN Convention on the Law of the Sea (UNCLOS), noting her country is not a party to that Convention.

Political Declaration of the Special Session of UNEP@50: In an evening plenary, COW Murillo, informed delegates that the draft ministerial declaration on UNEP@50 (UNEP/EA5/SS.1/L.1) had been endorsed and recommended for adoption. The Secretariat expressed appreciation for the leadership from the Co-Facilitators. Selma Malika Haddadi, (Algeria), UNEA 5.2 Rapporteur, expressed her appreciation and thanks to the Secretariat for their role and assistance to the Co-Facilitators.

COLOMBIA and INDONESIA commended the Co-Facilitators for their leadership and efforts, noting that the declaration would send a message on strengthening UNON in relation to UNEP.

Contact Groups

Contact Group I: The contact group was co-chaired by Sergio Salazar (Colombia), Dragan Zupanjek (Serbia), and Marek Rorh-Garztecki (Poland). Delegates discussed the draft resolution on the **principle of equitable geographical distribution in accordance with paragraph 3 of Article 101 of the UN Charter**. Co-Chair Rorh-Garztecki noted that the former sponsors had withdrawn, and that it was now a Co-Chairs’ draft. Delegates lifted general reservations and successfully tackled outstanding language issues, agreeing on the document.

Regarding a draft decision on the **date and venue of UNEA 6**, delegates considered the options for future meetings, proposed by the Secretariat, which carry consequences for the timings of presidency cycles, with several states stressing the need to uphold the principle of equality. The group agreed that discussions would continue after further regional and national consultation.

On a draft resolution on **sustainable lake management**, delegates discussed at length language recalling SDG target 6.5 (water resources management) and reaffirming the importance of the management and protection of lakes at all levels, including through transboundary cooperation. They further debated reference to, as appropriate, consistency with relevant UN water conventions, bilateral, international, and multilateral agreements. Consensus could not be reached, and discussions will continue informally.

Delegates further discussed the draft resolution on **NbS for sustainable development**. After a short discussion and states’ consultations with capitals, it was agreed to include reference to the newly published Intergovernmental Panel on Climate Change’s (IPCC) Working Group II report. Delegates considered the appropriate wording for linking biodiversity loss, climate change, desertification, and land degradation, with opinions mainly split between “interdependencies” or “interlinkages.” Delegates also discussed a paragraph referring to the potential of NbS for addressing ecosystem degradation, with delegates differing in their positions on whether to refer to “systemic drivers.”

In the stocktaking plenary, Co-Chair Rorh-Garztecki announced that the draft resolution on the **principle of equitable geographical distribution** had been agreed. COW Chair Murillo then proposed, and delegates agreed, to approve the draft resolution contained in UNEP/EA5/L19. On the draft decision on the date and venue of UNEA-6, he said the group required more time to reach consensus. On NbS, Co-Chair Salazar reported that states were engaging constructively, expressing hope that the resolution would be finalized in time. On sustainable lake management, he expressed concern that there was a politicization of some issues in the resolution, but acknowledged the leadership of the proponents in bridging the gaps in understanding. He requested for more time to address the contentious elements of the text. On biodiversity and health, he noted that discussions would be held on Tuesday.

Contact Group II: Contact Group II Co-Chair Ana Elena Campos Jiménez (Costa Rica) guided discussions on the draft resolution on **circular economy**. Discussing preambular text

recognizing that a resource efficient and circular economy is one sustainable economic model among others for achieving sustainable consumption and production (SCP) and contributing to the Agenda 2030, delegates differed on whether to add a list of multilateral environmental agreements (MEAs), agreeing to including, “and other relevant MEAs.”

Several delegates cautioned against over-stating circular economy approaches, maintaining that it is part of a bigger picture of SCP. On international exchanges and shared experiences, they agreed to note, in this context, the establishment of regional and global initiatives, and delete reference to the Global Alliance for the Circular Economy and Resource Efficiency. Debate ensued over language referring to “meeting the basic needs of an ever-increasing population.” There was also disagreement over the usage of “just and inclusive” in the context of a “just transition,” with some delegates preferring to emphasize “supporting livelihoods.”

Following lengthy discussions, they agreed not to mention the launching of the Global Strategy on SCP at UNEP@50 and Stockholm +50 meetings.

Some delegates noted that the title does not reflect the growing emphasis on SCP in the resolution. They suggested alternative titles to reflect circular economy as an approach to achieving SCP.

Contact group Co-Chair Firas Khouri (Jordan) reported on discussions on the circular economy, noting that the group had reached consensus on the draft resolution. Co-Chair Jiménez requested more time to consider the drafts on sustainable and resilient infrastructure, and on the green approaches to sustainable recovery.

Contact Group III: This group was co-chaired by Gudi Alkemade (the Netherlands) and Mapopa Kaunda (Malawi). On **the science-policy panel to support action on chemicals, waste and pollution**, delegates addressed the functions of an *ad hoc* open-ended working group established to initiate discussions on the science-policy panel. They considered new text noting that the working group would ensure that the panel has procedures to ensure its transparency, with many supporting proposals that the panel should also be neutral.

One delegation proposed, supported by many, that the panel’s work should be impartial, as opposed to neutral. On a proposal that the work of the panel should be inclusive, some delegates noted that this would enable small island developing states and least developed countries to be included. The group discussed text regarding a proposed decision that the panel should be an intergovernmental body whose programme of work delivers policy relevant scientific evidence, without being policy prescriptive. They also considered the suggestion that the panel will undertake assessments of existing and particular issues, and identify potential evidence-based options, agreeing to also give particular focus to issues relevant to developing countries.

Delegates engaged in a lengthy debate about whether the panel should be an independent body, with some calling on UNEP to provide support in order to ensure that the panel can focus on its core mandate. Others stressed that the panel should not be a

subsidiary body of an international organization or a multilateral environmental agreement. One pointed to Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) as an example, noting that although UNEP provides secretariat services, it is an independent body. Others questioned the independence of the IPCC, with some delegations explaining that it is governed by states. One delegation proposed a stand-alone panel, governed by states, which would serve different elements of the chemicals, waste, and pollution cluster. Others requested more information on the governance of the Persistent Organic Pollutants (POPs) Review Committee of the Stockholm Convention. Carlos Martin-Novella, Deputy Executive Secretary, BRS Secretariat, responded that the POPRC is a subsidiary body of the Convention. A small group was established to consult on this issue.

A small drafting group was tasked to make progress on the draft related to the **environmental aspects of minerals and metals management**, guided by Co-Chair Kaunda.

Reporting to the stocktaking plenary, Co-Chair Alkemade noted that on the science-policy panel, progress had been made, requesting more time to finalize the resolution. She noted that the small group meeting to discuss environmental aspects of minerals and metals management was meeting into the night to finalize the text.

In the Breezeways

Blue skies, wall-to-wall sunshine and fluttering flags signaled a shift in tempo as delegates descended on the visibly busier UN campus on Monday. There were audible sighs of relief in plenary, upon hearing that intensive discussions over the weekend had borne fruit: a draft resolution establishing an INC on plastic pollution had been agreed. UNEP’s Executive Directors words, “...once endorsed, we will have something truly historic in our hands,” resounded around plenary, encapsulating the collective hopes, dreams, and expectations of so many. The scourge of plastic pollution, particularly micro plastics, hit close to home when the UNEA President shared that blood tests, undertaken back home in Norway, demonstrated the presence of plastic compounds and chemicals in his body.

Ten bracketed draft resolutions remained on the table, at the opening of the meeting, abridged to accommodate the UNEP@50 commemoration, set to kick off on Thursday. The enormity of the task ahead was not lost on delegates with the COW promptly breaking out into Contact Groups after plenary so that delegates could continue addressing unresolved issues.

The significance of the publication of the IPCC report on Impacts, Adaptation and Vulnerability was not lost as delegates went about their work. Climate change and the management of hazardous chemicals and wastes are two of the many challenges confronting the world today. “To think that one day, we could have a panel, like the IPCC, doing the same thing for chemicals, waste and plastic would be incredible,” remarked a delegate. “Everything feels like it’s now within touching distance, but we still have quite a race to run,” remarked another, making his way from the reception to an evening plenary session.