

A virtual UNEA governance session made some progress but revealed the limitations of online negotiations.

Simon Høiberg Olsen, Matthew Hengesbaugh, and Nico Mira
Sustainability Governance Centre, IGES

The 2021 United Nations Environment Assembly (UNEA 5.1) took place on February 22-23 2021.¹

As the United Nations Environment Programme's (UNEP) universal-membership governing body, UNEA plays an important role in international environmental governance. Held biennially, UNEA brings together the UN's 193 member states and other stakeholders to outline UNEP's priorities and set the global environmental agenda.

Traditionally convened at UNEP's Nairobi Headquarters-- the only UN headquarters situated in the African continent and in the Global South-- this year's UNEA was decisively influenced by the COVID-19 pandemic, taking place entirely online. On the one hand, the virtual sessions provided the opportunity for more than 12000 viewers to observe proceedings streamed online in the week leading up to and during UNEA, which included the Youth Environment Assembly (held 12-20 February) and the UN Science-Business Policy Forum on the Environment (held 18-20 February). At the same time, utilizing the internet as the primary means of communication also posed challenges for environmental advocates seeking ambitious environmental outcomes from this year's UNEA. Limitations of purely digital meetings have become apparent. While useful for consultations and information sharing, online negotiations have proven difficult to conclude. This year's UNEA 5.1 also demonstrated the both benefits and drawbacks of convening virtually.

¹ Thank you to Taka Hiraishi for providing reflections and inputs to this briefing note.

Issues and Concerns

Many delegates voiced concerns related to the so-called digital divide. This was well articulated by one delegate, who used the turn of phrase “no word by word without face to face”-- recognizing that the risk of digital exclusions associated with varying internet quality made it difficult for governments and other stakeholders to be effectively seen and heard. This issue had been raised repeatedly in the run-up to UNEA 5.1 and resulted in a virtual Environment Assembly that focused only on a narrow number of administrative and procedural decisions related to UNEP’s management and continued operations. These decisions were as follows:

1. UNEP's Medium-term Strategy (MTS) for 2022–2025 and Programme of Work and Budget for the biennium 2022–2023;
2. Management of trust funds and earmarked contributions;
3. Adjournment and resumption of UNEA-5.

In theory, these decisions were intended to be strictly budgetary and programmatic in nature to ensure that UNEP could continue to operate despite the lockdowns and disruptions brought about by the global pandemic; more politically sensitive matters were tabled for discussions at UNEA-5's resumed session (i.e., UNEA 5.2) planned for February 2022 in Nairobi. Yet, despite repeated calls to avoid overtly contentious issues at UNEA 5, the administrative proceedings did turn political for a number of country delegations on several occasions.

One key example concerned inclusion of the term “environmental rights”, which was seen by some member states to represent terminology that has yet to be agreed upon with consensus by the international community. Language on “loss and damage” represented another point of contention because it embodies the difficult discussion on common-but-differentiated responsibilities (CBDR) among countries. Other contentious issues regarded the mandate and scope of UNEP’s work in relation to different multilateral environmental agreements. Finally, some member states raised the issue of ensuring a more equitable regional balance of UNEP staff, emphasizing the importance of gender parity and equality.

Overall, many of these differences hinged on the varying positions of member states concerning ways to confront the key environmental threats spelled out by UNEP's MTS: namely, climate change, biodiversity loss, and pollution, constituting what UNEP has termed a 'triple threat' to human survival.

Outlook of Discussions

Framed around discussions on the launch of UNEP's recent report "Making Peace with Nature", some delegates opined on the urgency to "build back better and greener" in response to COVID-19, noting the strategic opportunity to redirect development in the wake of the global health crisis. Others, however, expressed ambivalence about such an approach, questioning whether building **back** better or even **differently** was justified, given that the current system ultimately precipitated the pandemic and associated planetary threats. The Norwegian Presidency of UNEA managed to forge consensus among these different factions by issuing a "Message from online UNEA 5"[1], reiterating the critical importance of multilateralism and environmental governance in the era of COVID-19.

Civil society has played an active role in UNEP's governance since its establishment in 1972. As in years' past, international civil society organisations (CSOs) convened virtually at the Global Major Groups and Stakeholders Forum (GMGSF) preceding UNEA, highlighting a number of underlying issues that are a symptom of unsustainable development. They called for, among others, enhancing food sovereignty, addressing the harmful impacts of chemicals and pollution in the agricultural sector, adopting rights-based approaches, including for better protecting indigenous and women workers, and recognizing the intrinsic value of nature. That UNEP's MTS also referred to several parallel concerns hints that at least some of these difficult topics will continue to have a bearing on UNEP's work going forward.

Some of these themes were taken up more widely during UNEA's Leadership Dialogue in which many ministers and high-level country representatives shared updates on COVID-19 response and recovery strategies, as well as how their respective governments are progressing on the environmental agenda. The Dialogue in many ways reaffirmed that the global community recognizes the intrinsic interrelationship between environmental and human health and the importance of a greener and more sustainable post-Covid recovery.

With UNEA 5.2, UNEP at 50 commemoration, and Stockholm+50, 2022 will be an important year for environmental governance

The Stockholm Conference on the Human Environment took place almost 50 years ago. This hallmark event led to the establishment of UNEP. 2022 will be the main year to commemorate this. Therefore, much of the UNEA 5.1 proceedings also drew attention to UNEP's planned commemorations for its 50th anniversary. As per the decision made at UNEA 5.1, the commemoration has formally begun and will conclude with a Special Session celebrating UNEP at 50 in conjunction with the in-person segment of UNEA 5.2 next year.

One of the main sticking points in this regard involved whether the commemoration would be organized as a one or two-day event, and indeed whether it should be designated as a Special Session or not. Some country representatives that had indicated their preference for a two-day event sought to avoid any mention of envisioned outcomes from UNEA 5.2, arguing that no political decisions were to be taken up at UNEA 5.1. Other member states put forward the need for a political declaration that matches the gravity of the environmental emergency, and use the event of UNEP's 50th birthday to drum up political will for stronger commitments. These could include further efforts to strengthen UNEP and fulfil its mandate set out by the Rio+20 outcome document, "The Future We Want", specifically Paragraph 88 focused on enhancing environmental law and governance. However, since negotiating online on the modalities and envisioned outcomes was not possible at UNEA 5.1, it will now be incumbent on member states and the Committee of Permanent Representatives (CPR) to conduct continued discussions during the intersessional period to consult and increase the likelihood of consensus on what UNEA 5.2 is expected to achieve.

Additionally, since it will also be 50 years since the Stockholm Conference, Sweden are planning to commemorate Stockholm+ 50 under the theme of "A healthy planet for all, our responsibility, our opportunity". The exact structure of this event will largely depend on the expected modalities linked with a prospective UNGA resolution. Sweden has voiced its support organizing the event around accelerated action on SCP, including assessing progress on a green recovery to the pandemic and enabling a just transition towards a green economy. Some of the potential outcomes may include reaching a global agreement to combat marine debris and micro plastics, which has been underway for some time, but which is yet to achieve political consensus.

In sum, UNEP at 50 and Stockholm+50 represent two separate but complementary milestone events both of which offer a strategic opportunity to strengthen international environmental governance. Their successful outcome depends largely on how well consultations will progress between now and UNEA 5.2 as well as whether Sweden, as host for Stockholm+50, can drive political consensus in the lead up to the meeting.

Time is now of the essence: the coming year represents an important climax for international cooperation on environmental sustainability issues, carrying forward both the mandate assigned to UNEP in Paragraph 88 of TFWW and reiterated in UNGA Resolution 73/333. The navigation points towards a hopeful in-person UNEA 5.2 in February 2022, along with other key international processes planned for the UN's "Decade of Action", which might be possible if these events can take place in person.

While technically the world is making progress and more people have internet access than before, the limitations of online meetings shine through, the limitations of online meetings shine through. For one, time differences affect some corners of the world forcing negotiators especially in the Asia-Pacific region to stay up late to make their inputs. Moreover, while online modalities do allow for breakout sessions, they cannot replace the importance of face-to-face discussions among delegates to reach compromise on difficult text pieces.

For now, these important discussions have been put on hold. However, that also means important decisions necessary to effectively halt pollution, biodiversity degradation, and climate change are put on hold. If, as United Nations Secretary General António Guterres has said, the 2020s indeed must be the "Decade of Action, it will be necessary to make up for lost momentum and at the same time apply new and creative solutions to negotiate and bring about strong decisions at the upcoming UNEA 5.2 and at Stockholm+50.

Institute for Global Environmental Strategies (IGES)

Sustainability Governance Centre

2108-11 Kamiyamaguchi, Hayama, Kanagawa, 240-0115, Japan

Tel: 046-826-3700 E-mail: iges@iges.or.jp

<https://www.iges.or.jp/>

The views expressed in this working paper are those of the authors and do not necessarily represent IGES.

©2021 Institute for Global Environmental Strategies. All rights reserved.