



IUCN WCEL Input: *Draft Political Declaration of the Special Session of the United Nations Environment Assembly to commemorate the fiftieth anniversary of the establishment of the United Nations Environment Programme, March 2022*

A. General context (e.g. Preamble)

Declaration to be adopted at a critical moment in time: needs to be science-based, ambitious, and forward-looking

- *Noting* the critical state of the environment and the need for urgent action;
- *Deeply concerned* that the current and projected changes in climate, biodiversity loss and pollution are undermining development gains, impeding progress towards ending poverty and hunger, reducing inequalities promoting sustainable economic growth, and peaceful and inclusive societies as set forth in the UN report Making Peace with Nature (February 20221).
- *Recalling* that the IPCC noted that “pathways limiting global warming to 1.5°C [...] require rapid and far-reaching transitions in energy, land, urban, infrastructure [...] and industrial systems and that these systems transitions are unprecedented in terms of scale...” (IPCC, 2018, SPM, C.2)
- *Further recalling* that the IPBES noted that the “goals for conserving and sustainably using nature and achieving sustainability cannot be met by current trajectories and goals for 2030 (i.e. Paris Agreement, SDGs) and beyond may only be achieved through **transformative changes** across economic, social, political and technological factors.”(IPBES, 2019, SFP, C.)
- *Noting* the important role of environmental law and governance in bringing about transformative change and the need to strengthen its implementation and compliance;
- *Noting* the need to address global inequalities;
- *Endorsing* Stockholm, Rio, Johannesburg, and Rio+20 declarations
- *Committed* to implementing the SDGs by 2030 and the post 2020 Global Biodiversity Framework by 2030.

B. Recommendations for possible content

1. General guidance

Declaration is to be guided by the following:

- Acknowledge that we have the policies and legal tools to take bold and ambitious action that recognizes the gravity of the interrelated environmental challenges of climate change, global biodiversity loss and pollution, for the “future we want”
- Be science-based,
- Be forward-looking (visionary) and solution-oriented,
- Pay justice to future generations, and
- Provide an important tool for decision-makers, civil-society as well as for capacity-building and strengthening

2. **Recognition of need for transformative change and the “crucial decade” we are in (until 2030)**
 - Insert universal pledge to attaining SDGs by 2030, and urgency in doing so.
 - Support holistic “One Health” approach to avert future emerging infectious diseases
 - Transformative change of human systems (technological, economic, social) necessary to develop withing “safe operating space for humanity”
 - Environmental law and governance are crucial in bringing about such change.

3. **Urgent call for effective implementation and compliance with existing international and national environmental treaties and laws, and their enforcement**
 - Many treaties and laws are in place, covering nearly every aspect of environmental protection; but many are not implemented effectively or complied with
 - States to apply their best efforts to environmental protection, through, inter alia, effective legislation, compliance and enforcement

4. **Address fragmentation of environmental law and governance**
 - All UN treaties, bodies, committees should work for or support transformative change
 - Needs better coordination between fragmented areas of law and governance

5. **Recognition of the environmental rule of law**
 - Support the reference to UNEP Montevideo Program (since 1982)
 - Support the development of adequate and effective environmental legislation and legal frameworks at all levels to address environmental issues;
 - Strengthen the effective implementation of environmental law at the national level

6. **Recognizing the work towards a Right to a clean and healthy environment**
 - Recognized by over 150 nations in their national systems
 - In international law, only few examples
 - Recognizing the work of the UN Human Rights Council on the relationship between human rights and environmental protection
 - Rights-based approaches can be effective and equitable means to ensure a high quality of the environment, which is integral to enjoying a wide range of (other) human rights

7. **Recognition of new principles (emerged after 1992 Rio Declaration)**
 - **Non-regression**
Economic recovery from shocks (e.g. pandemics, social unrest, or natural disasters) must not lead to lowering environmental standards (“back-sliding”)
 - **Progression**
Regular reviews of existing laws and regulations with a view to enhancing the level of ambition and effectiveness
 - **Rights of future generations**
Future/unborn generations more affected than present ones; but not represented in decision-making processes
Recognize the need to present the interests (and rights) of posterity in current processes (e.g. ombudsman, trustee, council)
 - **Rights of Nature**
 - **Resilience**

8. **Other aspects**
 - Protection of environmental defenders
 - Regulation of financial sector, trade and investment to ensure their contribution to transformative change towards sustainable development