

**Global Pact for the Environment, 3<sup>rd</sup> substantive session, 20 May 2019, Nairobi**  
**Alexandra Lutz, CLiMates, on behalf of NGOs**

Thank you Madam Chair,

Dear Co-Chairs, Distinguished Delegates,

My name is Alexandra Lutz from CliMates and I am making this statement on behalf of the NGOs.

We hope we can lift the mood of the meeting by confirming that civil society is standing behind Members States who believe in positive change and that we will not be making excuses for inaction.

We would like to show appreciation the co-chairs' non-paper which reflects the substance of what has been discussed in the previous sessions. As the result of months of discussions and valuable input from all stakeholders, it is a comprehensive basis to work from, and we encourage Member States to use it to move the process forward. In our submission, we would like to focus on the third section, as it seems the most controversial.

All corpus of International Environmental Law has one main objective: the protection of the environment. By everyone's admission, the corpus of IEL as it currently stands does not protect our environment effectively. If the tool at hand does not give a solution to the problem it is supposed to solve, then there is a gap.

Eminent experts of environmental international law were consulted to draft the UNSG report exploring this issue. They have come up with two clear statements: (1) there are gaps in IEL, including but not limited to its fragmentation and lack of implementation, and (2) a global unifying text would be a good way of addressing them.

To pretend that all gaps are the result of carefully crafted negotiations would be disingenuous. The current fragmentation is the result of decades of work on international environmental legislation. Each new agreement had at heart to address specific problems in specific contexts, which is of great value. However, some gaps were not accounted for, because those texts were negotiated in silos and did not consider the interconnectedness of the environment nor the ecological crisis we are facing today.

We call upon the convening of a high-level UN conference for the adoption of an international framework strengthening the implementation of international environmental law. Its detailed content and legal nature should be left for this future intergovernmental process to determine. In 2022, the United Nations will mark the 50<sup>th</sup> anniversary of the Stockholm conference on the human environment and the UN Environment Programme. This provides an excellent opportunity to conclude the preparatory process and draw world attention to the agreement of the Global pact for the environment, with a Stockholm +50 event as a milestone.

We highly value the search for consensus, as it is a core value of the UN system. However, as it was brilliantly outlined by the Guyana delegation, consensus does not mean unanimity and should not be used by a minority as a mean to veto the wish of the majority.

Thank you very much for your attention.