



**STATEMENT BY SOUTH AFRICA DELIVERED BY
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UNITED NATIONS ENVIRONMENT PROGRAMME**

**AT THE
FIRST SUBSTANTIVE SESSION OF THE AD HOC OPEN-ENDED WORKING
GROUP**

AGENDA ITEM 4

14 JANUARY 2019

NAIROBI

Check against delivery

Co-chairs

Excellencies

Distinguished colleagues, good afternoon

South Africa aligns itself with the statement made by Ethiopia on behalf of the Group of 77 and China. My delegation welcomes discussions of the first substantive session and looks forward to fruitful discussions towards a global pact for the environment.

From the outset, the Government of South Africa is of the view that it is essential for the international community to step up multilateral efforts to address pressing global environmental challenges and that we maintain and build on the momentum behind Agenda 2030, Multilateral Environmental Agreements and the UNFCCC's Paris Agreement on Climate Change.

In this regard, South Africa welcomes the adoption of Resolution 72/277 by the UN General Assembly to establish an open ended working group on the Global Pact for the Environment. South Africa is committed to the success of this initiative.

Chairperson,

In the current challenging international political context, it is important that we work together to ensure that this initiative achieves its purpose of progressively developing international law and strengthening multilateral approaches to sustainable development and environmental challenges. With that said, South Africa will not be in a position to accept any outcome from this process that has the unintended consequence of weakening existing environmental law or arrangements through lowest common denominator approaches, or casting doubt on legal obligations and undertakings under existing Multilateral Environmental Agreements. Any overarching

international treaty or Global Pact must clarify its legal status vis-à-vis the existing agreements, which take many different forms, and it must be progressive and contribute constructively towards addressing global challenges. There is no room for backsliding.

Chairperson,

South Africa has taken note of the Secretary-General's report and in particular the clear and unambiguous messaging it contains on the implementation challenges faced by developing countries and the central importance of securing means of implementation support. We fully share the assessment that international environmental law is fragmented, but that there are fundamental principles that must be respected by all, such as differentiation and the duty of prevention and precaution. It is a matter of concern to us, however, that other fundamentally important principles are not adequately referenced in the report, such as equity, fair and equitable sharing of benefits arising out of the utilization of genetic resources and the common heritage of mankind in relation to areas beyond national jurisdiction. In this regard, South Africa holds the view that achieving global geographic coverage, consensus and universal application of environmental principles is paramount in the construction of a firm and sustainable foundation for the consolidation of international environmental law.

Lastly chairperson, we share the Secretary-General's assessment regarding the duplications and burdens associated with reporting requirements under the multitude of environmental bodies. However, we are concerned that the efforts to include, as a global norm, non-state actors and human rights experts into decision-making and reporting arrangements may lead to contestation and not achieve the intended objectives.

My delegation will provide detailed comments on the report as the deliberations of this week continue.

I thank you