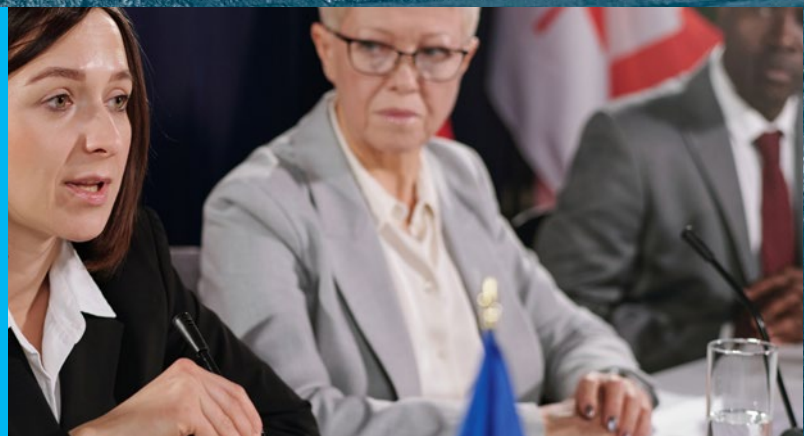


Environmental Aspects of Minerals and Metals Management

**Co-Chairs' Summary
Report of the Global
Intergovernmental
Meeting**



7-8 September 2023

1 Summary of process

The United Nations Environment Assembly (UNEA) at its resumed fifth session in February 2022, adopted resolution 5/12 on the Environmental Aspects of Minerals and Metals Management, containing inter alia the following operative paragraphs:

UNEA Resolution 5/12

[...] (2) Requests the Executive Director, subject to available resources, to **convene transparent and inclusive intergovernmental regional consultations**, including with relevant international organisations, with regional and multilateral environmental agreements, and with relevant stakeholders acting as observers, to feed into a global intergovernmental meeting, **with the aim of developing non-prescriptive proposals** to enhance the environmental sustainability of minerals and metals along their full life cycle, in line with the 2030 Agenda for Sustainable Development;

(3) Decides that the intergovernmental regional consultations will:

(a) Take stock of existing activities and actions in the public and private sectors and by other relevant stakeholders to enhance the environmental sustainability of minerals and metals and identify, among other things, best practices, responsible business practices, standards, guidelines, technical tools, environmentally sustainable technologies and the use of renewable energy in mining;

(b) Identify opportunities for enhanced international cooperation, including with a view to fostering capacity-building and technological, technical and scientific cooperation in the mining sector, in particular with developing countries;

(c) Identify possible ways forward for consideration by the Environment Assembly at its sixth session, as appropriate; [...]

Two Co-Chairs were appointed on 13 December 2022 by H.E. Ms. Leila Benali (President of the sixth session of the Environment Assembly and Minister of Energy Transition and Sustainable Development of Morocco) to lead the consultations as mandated in UNEA resolution 5/12, namely H.E. Ms. Saqlain Syedah, High Commissioner and Permanent Representative of Pakistan to the United Nations Environment Programme (UNEP), and Ms. Martine Rohn-Brossard, Deputy Head of International Affairs Division of the Swiss Federal Office for the Environment.

During the implementation of the resolution, Member States were asked to nominate national focal points, who were invited to attend intergovernmental regional consultations on enhancing the environmental sustainability of minerals and metals along their full life cycle in line with the 2030 Agenda for Sustainable Development.

Five consultations were held between April and July 2023, one for each United Nations regional group, as follows :

1. **The Group of Eastern European Region States ('EEG') in Geneva on 24-25 April 2023.**
2. **The Group of Western European and other States ('WEOG') in Paris on 27-28 April 2023.**
3. **The Group of Latin American and Caribbean States ('GRULAC') in Santiago on 17-18 May 2023, hosted by Chile.**
4. **The Group of Asia-Pacific States ('AP') in Bangkok on 15-16 June 2023.**
5. **The Group of African States ('AG') in Dakar on 5-6 July 2023, hosted by Senegal.**

The regional consultations were held in a hybrid format. For each regional group, national focal points and representatives from Member States attended the consultations, along with relevant international organisations, and UNEP accredited observer organisations. Seventy-nine Member States

were represented¹ across the five intergovernmental regional consultations, as well as sixteen accredited observer organisations. The list of 113 nominated national focal points for the UNEA 5/12 intergovernmental process is available [here](#).

In accordance with UNEA resolution 5/12, the objective of the intergovernmental regional consultations was to develop non-prescriptive proposals to enhance the environmental sustainability of minerals and metals along their full life cycle, in line with the 2030 Agenda for Sustainable Development. Pursuant to operative paragraph 3 of the resolution, the consultations included sessions designed to:

- (a) Take stock of relevant existing activities and actions in the public and private sectors and by other relevant stakeholders;
- (b) Identify opportunities for enhanced international cooperation, including with a view to fostering capacity-building and technological, technical and scientific cooperation, in particular with developing countries;
- (c) Identify possible ways forward for consideration by the Environment Assembly at its sixth session, as appropriate.

A background paper for the regional consultations was prepared and disseminated in advance by the Secretariat, to summarise global trends, existing actions and instruments, and relevant organisations, pertaining to environmental aspects of metals and minerals.

The Secretariat produced a summary report after each regional meeting, containing the full list of participants. These summary reports (as well as background report, meeting agenda and other relevant documentation for the intergovernmental regional consultations) are available online at the [‘Green Policy Platform’ website](#).

Participants were invited to make written submissions subsequent to the meeting, and to attend the Global Intergovernmental Meeting on 7-8 September 2023 in Geneva.

The Global Intergovernmental Meeting on UNEA resolution 5/12 was held in Geneva on 7th and 8th September 2023.

The Secretariat prepared a [background document](#) for the Global Intergovernmental Meeting. Ninety-nine Member States were able to attend² the Global Meeting and twenty-five participated online. More than 60 accredited observers and accredited organisations also registered.



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¹ The attendance distribution was as follows: 27 Member States attended the regional consultation for African States; 13 Member States attended the regional consultation for Asia-Pacific States; 10 Member States attended the regional consultation for Eastern European States; 20 Member States attended the regional consultation for Latin American and Caribbean States, and 11 Member States attended the regional consultation for Western European and Other States.

² The geographic distribution of participating Member States (in-person and online) was as follows: 31 Member States from the African Group; 28 Member States from the Asia-Pacific Group; 10 Member States from the Eastern European Group; 19 Member States from the Latin American and Caribbean Group and 12 Member States from the Western European and Other States Group.

2 Agenda item 1: Opening of Meeting

Co-Chair Ms. Rohn-Brossard opened the Global Intergovernmental Meeting on 7 September, welcoming the 113 national focal points assembled in the room and virtually, as well as other participants from the 60+ registered observer organisations. Ms. Rohn-Brossard noted the rich discussions undertaken during the preceding five intergovernmental regional consultations, and the non-prescriptive proposals ('NPP's) that had arisen from those meetings, aimed at improving environmental aspects of the metals and minerals sector along the whole life cycle. She stressed that the Global Meeting was a continuation of the consultations and discussions, rather than a negotiation of the non-NPPs.

Ms. Sheila Aggarwal-Khan, Director of the Industry and Economy Division of UNEP, delivered opening remarks on behalf of UNEP, which highlighted predictions of significantly increased metal demand to meet the clean energy transition, and underscored the dominant role that mining plays in many countries' economies. She highlighted at the same time the adverse impacts of mining heard across the regional consultations, including loss of biodiversity, deforestation, pollution, as well as social conflict. Ms. Aggarwal-Khan encouraged Member States and other stakeholders in their discussion to refine the NPPs as well as to consider how these issues may be taken forward at the sixth session of the Environment Assembly, which will take place from 26 February-1 March 2024 in Nairobi, Kenya.

3 Agenda item 2: Adoption of the Agenda

The meeting adopted the provisional agenda for the Global Intergovernmental Meeting on Environmental Aspects of Minerals and Metals Management, as set out in UNEP/5/12/1.

4 Agenda item 3: Outcomes from Intergovernmental Regional Consultations

The results of the five intergovernmental regional consultations had been provided before the Global Meeting in the [summary reports published for each consultation as well as the background document prepared for the Global Intergovernmental Meeting](#). The outcomes of the regional consultations had also been presented to participants in online briefings held in August 2023.

UNEP held a brief presentation summarising the outcomes of intergovernmental regional consultations for the Eastern European States Group (EEG), Asia-Pacific States

Group (AP) and Western European and others States Group (WEOG). As host countries, Chile and Senegal summarised the regional consultations for the Latin America and Caribbean States Group (GRULAC), and the African States Group, respectively. It was reported that:

- The **EEG** consultation expressed interest about abandoned mine sites and tailings dams, legislative gaps, illegal mining, transboundary risks, and low public trust in the mining sector. The group identified three NPPs around: establishing a global sand observatory, an inventory of abandoned mine sites, and environmental safeguards for deep sea mining. The group also discussed, though not formulating specific NPPs: a need for consolidation of existing mining standards, and the idea of a voluntary environmental performance review mechanism for mining and environmental management.
- The **AP** consultation raised common issues around sand mining; challenges in monitoring and enforcement of mining regulations; rehabilitation of disused mine sites; tailings management; building capacity in deep sea mining; knowledge exchange; and financial assistance. The group identified three NPPs, requesting UNEP: to compile a compendium of best practices, lessons learned and gaps; to use the compendium to explore capacity building and technical assistance initiatives to replicate best practices; and to promote cooperation between relevant institutions. The voluntary nature of NPPs and the importance of adaptation to local context were also themes emphasised in this regional consultation.
- The **WEOG** consultation reiterated topics around mine closure and tailings management. This consultation highlighted multiple existing international and regional initiatives, though noting the proliferation of different standards and guidelines tended to fragment management of minerals and metals. This group produced five NPPs: a global sand observatory; a tailings and mine closure management NPP that involved (i) collaboration with the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) on mine closure and post-closure monitoring, and (ii) research on financing and regulatory frameworks for mine closure and reclamation; a global assessment of gaps in existing instruments governance on environmental aspects of minerals and metals management; collaboration with the Convention on Biological Diversity, in the follow-up of the COP 15 decision 24, with regards to the provisions pertaining to deep-sea mining; and the creation of an open-ended working group

to follow up on implementation of the proposals resulting from the UNEA Resolution 5/12 process. This intergovernmental regional consultation also included significant discussion about circular economy, and innovation in technology, methodologies and eco-design, as well as the role of the financial sector, digitalisation and transparency throughout the supply chain - though no specific NPPs were articulated in this regard.

- The **GRULAC** consultation reiterated the issue of sand management, the informal mining sector, mine closure and abandoned mines, and proliferation of mining standards and initiatives. The consultation also identified a need in the region to bridge the trust gap between the mining sector and the public. This group produced thirteen NPPs, including: a global sand observatory; implementation of the Global Industry Standard for Tailings Management (GISTM); establishment of mine closure criteria; implementation of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement); UN-supported multi-stakeholder dialogue; a global assessment of instruments, best practices and gaps; exploring the idea of an international agreement to support environmental considerations in mining; an international programme to support Member States align national mining practices with Agenda 2030; three NPPs concerning circular economy, sustainable design, and reprocessing of tailings from old mining operations; an expert working group of national focal points to follow up on the NPPs; and a regional network of experts on mining and sustainability.
- The **AG** consultation raised as priority topics: artisanal and small-scale mining; sand extraction and use; rehabilitation of closed or abandoned mine sites; and tailings management. Member States at the consultation called for technical assistance and capacity development, including around legislative reform, strategic environmental assessment, and data collection and verification. This group produced thirteen NPPs: a global sand observatory; an assessment of instruments on tailings; a global inventory and classification of tailings and their toxicity; a manual for tailings facility design; technical guidelines and standards for tailings management; collaboration with other international organisations and processes including the Minamata Convention and the Organisation for Economic Cooperation and Development (OECD); a legislative guide on implementing a circular economy; a global assessment of existing

instruments and identification of a global action plan; and the creation of an open-ended technical working group to address the needs identified in this resolution 5/12 process.

5

Agenda item 4: Technical Panel Discussion

The President of the World Resources Forum Association moderated a panel exploring the necessary steps and priorities for advancing the shift towards more sustainable and responsible management of minerals and metals, across their entire lifecycle. A panellist from the Church of England Pensions Board described how investors were concerned about sustainability issues and were well-positioned (as company owners) to hold company directors to account. He discussed the role of voluntary standards in the mining sector, such as the Global Industry Standard on Tailings Management. In his view, for such standards to bring step change, they should: receive both CEO-level commitment and site-level management and disclosures; be transparent and established within an assurance regime; be ambitious; apply globally; and be developed and implemented via a multi-stakeholder process. Grounding voluntary standards in legislation also greatly strengthens their impact.

A panellist representing Earthworks emphasised that community health and human rights cannot be separated from conversations about mining and the environment; and highlighted the importance of the rights of Indigenous Peoples. Drawing on Earthworks' 2020 report 'Safety First: Guidelines for Responsible Mine Tailings Management', she called for meaningful engagement with affected communities throughout a mine's life cycle, including proactive disclosure of all information relating to public safety. She cautioned against exponential growth projections, advocating instead for reducing raw material demand in favour of a circular economy approach, prioritising recycling, repairing and reusing resources. She also identified threats to ocean health (from deep-sea mining and tailings disposal) as a challenge.

A representative for the UN Economic Commission for Europe (UNECE), offered insights on strengthening mine tailings safety from decades' experience of implementation of the Convention on the Transboundary Effects of Industrial Accidents. He identified climate change and 'Natech' as issues that need to be addressed systemically and proactively for disaster prevention. He offered UNECE's support to the UNEA Resolution 5/12 process and NPPs that may be taken forward, including on a global assessment of existing tools, which he identified as an important and beneficial proposal.

A representative from the Secretariat of the Minamata Convention on Mercury, highlighted progress towards regulating mercury use and waste stream management in artisanal and small-scale gold mining under the Convention. He described multi-stakeholder approaches under the Global Mercury Partnership, and PlanetGOLD respectively. He welcomed further engagement between this process and the Minamata Convention, and speculated whether a similar model of the Convention’s tailored ‘national actions plans’ could be applied in other contexts and for other minerals.

In subsequent discussion, representatives of Nigeria, Argentina, Colombia, Brazil, Mali, Sierra Leone, Cameroon, and Senegal as well as two observers highlighted the following as issues of interest:

- best approaches to governance of artisanal and small-scale mining (ASM);
- how to hold constructive dialogue in contexts where some stakeholders are wholly opposed to mining;
- how to incentivise sustainable practices among the poorest and most vulnerable mining communities, which often intersect with biodiversity hotspots;
- how to derive more value and job creation along the full life cycle for producer countries;
- a need to fund existing successful mechanisms such as the Specific International Programme to support Capacity-Building and Technical Assistance under the Minamata Convention;
- industry’s view that voluntary standards continue to play a vital role in the mining sector; and
- conflicts of interest that may arise from investor- or industry-led standards.

6

Agenda item 4: Discussion on Non-Prescriptive Proposals

Participants met in informal break-out groups on the afternoon of the 7th September 2023, continuing on the morning of the 8th September 2023. The purpose of these groups was to discuss, with a view of prioritisation and refinement, the NPPs that had been raised during the preceding intergovernmental regional consultation process.

For the purposes of the breakout groups, the NPPs were clustered into three different thematic groupings. Each cluster was discussed consecutively, in three separate parallel breakout groups. All breakout group discussions were held in hybrid format with interpretation into all six official UN languages. The discussions were co-facilitated by Member State representatives – as follows.

NPP thematic topic	Group	Co-Facilitator's country
A: Policies and tools NPPs: 1 – 5	1	China and Mali
	2	Chad and the United States of America
	3	Chile and Switzerland
B: Value chain aspects NPPs: 6-15	1	Georgia and Senegal
	2	Democratic Republic of the Congo and Germany
	3	Bhutan and the Kingdom of the Netherlands
C: Platforms for international cooperation NPPs: 16-24	1	Jamaica and Spain
	2	Armenia and the Philippines
	3	Argentina and North Macedonia



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Agenda item 6: Report Back from the Discussions on the Non-Prescriptive Proposals

After the breakout discussions, the co-facilitators reported back to plenary, providing summaries of the discussions. Further views and responses to those summaries were invited in plenary. Feedback was provided, and many speakers expressed appreciation for the open and inclusive nature of the discussions and for the opportunity to understand each other's regional contexts and priorities.

8

Agenda item 7: Consideration of the Draft Co-Chairs' Summary of the Meeting

The Co-Chairs summarised in bullet-point form the breakout reports and plenary discussion, clarifying their aim to capture all comments – which included divergent as well as convergent views – as opposed to negotiated text. Delegates provided further feedback on that presented summary.

Some delegates wished additionally to emphasise that there remained a diversity of views on some NPPs, including NPP 2 on international metal certifications, NPP 3 on environmental peer reviews and NPP 4 on the Global Sand Observatory. It was mentioned that further clarification on their scope is needed.

Other delegations, citing time and resource constraints, urged prioritisation where there is broad consensus – identifying in particular NPPs 1 [global assessment of existing instruments] and 16 [open-ended/technical working group] in this regard.

The summary of discussions, taking into account the plenary feedback, is provided below. The views recorded were made by State delegates, unless expressly described as having been raised by observer organisations.³

A

Cross-cutting issues relevant to all or multiple NPPs

During the meeting, there were several points that arose repeatedly, and were seen to have cross-cutting relevance across all or many of the NPPs. These points are shared in this section (and not repeated in individual NPP discussion reports, below).

A clear general message from delegates was a request to prioritise **technical assistance**, **financial support**, and **technology transfer** for developing countries. Similarly, the importance of **knowledge exchange** between States (and from region-to-region) was emphasised⁴. Some delegates wished to stress that any measure or initiative should be **adaptable to local conditions**, and relevant to national capacities and frameworks. The need to **avoid duplication** with other existing agencies, instruments and initiatives was also repeatedly emphasised throughout the meeting.

It was stated during discussions that the mining sector suffers from a **legitimacy crisis**, and there was a need to build trust between communities and mining companies. Observer organisations raised the importance of **meaningful community engagement** and 'free, prior and informed consent' in all processes, and this was supported by interventions from some Member State participants⁵. Indeed, the intersection between the resolution 5/12 focus on environmental sustainability of minerals and metal life cycle, with **human rights and social issues** arose during several of the discussions; and **transparency** and access to information across the life cycle was seen as particularly essential. Mainstreaming of both **gender** and **climate change** was also identified as relevant in this consideration of the environmental sustainability of mineral and metals across the life cycle. Member States raised the need to focus on enhancing renewable energy in the mining sector, and, noting that this issue had not been explicitly covered in the NPPs.

In terms of thematic focus, delegates highlighted the importance to address mining impacts on **biodiversity**, as well as **soil and water pollution**; and many Member States highlighted the prevalence of **artisanal and small-scale mining** in certain regions as an issue requiring specific attention.

³ With regards to the terminology, and as was clarified verbally during the meeting, 'broad support' is used to indicate substantial support from numerous countries, and 'moderate support' to indicate support from a smaller but still significant number of countries. These are approximate impressions; there was no head-count.

⁴ A preference was expressed by one delegation to use the wording to 'exchange' rather than to 'establish' best practices.

⁵ One observer organisation also called attention to the importance to use accurate terms when referring to Local Communities and Indigenous Peoples.

B Summary of consultations on specific NPPs

Cluster A: POLICIES AND TOOLS

1. GLOBAL COLLECTION AND ASSESSMENT OF EXISTING INSTRUMENTS

NPP1: *“UNEP is requested to produce a global collection and assessment of existing instruments and standards, in the private and public sector relating to environmental sustainability of minerals and metals along the entire life cycle, in cooperation with Multilateral Environment Agreements and other stakeholders, building on existing work in this area; and to disseminate the findings through a compendium; and identification of a global action plan; in order to identify gaps and recommendations to address these, and to establish best practices that could be implemented in every country.”*

This NPP1 received broad support; and indeed, some delegations identified this NPP as a pre-requisite to progressing other NPPs.

There was a constructive discussion about the scope of such a global assessment, and it was recommended to identify uniform criteria and an agreed objective at the outset. Participants wished to emphasise the importance that the focus of such a collection and assessment should address the whole life cycle. The proposal to identify gaps was also reiterated, with delegations indicating this should include governance and data gaps, as well as recommendations to address such gaps.

Member States identified that care would need to be taken in comparing different types of instruments; and it was recommended to look beyond instruments from industry, and to include legally binding instrument. Participants also reaffirmed the need to build upon existing work, and to collaborate and take into account other relevant organisations and processes. Observers, supported by Member States, indicated that the assessment could also examine how to improve transparency.

A request to clarify the ‘global action plan’ part of the NPP was met with a response from one delegation that it refers to a high-level approach, which leaves countries to develop their own national action plans. Several delegations highlighted the importance to consider differing local / national contexts in making any recommendations.

2. METALS CERTIFICATION

NPP2: *“Develop international certifications for metals, similar to the Kimberley Process.”*

This NPP received divergent views, though broad support from countries of the African Group of States, in particular.

Some participants expressed the need not to duplicate existing certificate schemes. Others noted that the scope of UNEA Resolution 5/12 is focused on the environment, so this NPP may require the inclusion of partners who can complement UNEP’s mandate (e.g. conflict, security, human rights social issues, criminal activities). One delegation expressed the importance for sufficient resources and institutional architecture that would be needed to implement this NPP.

During discussions, clarification was provided that the focus of this NPP was intended to be on international guidelines to support development of national standards and certifications, adapted to local context. In this context, it was noted that such NPP would need to be supported by capacity-building initiatives at national level.

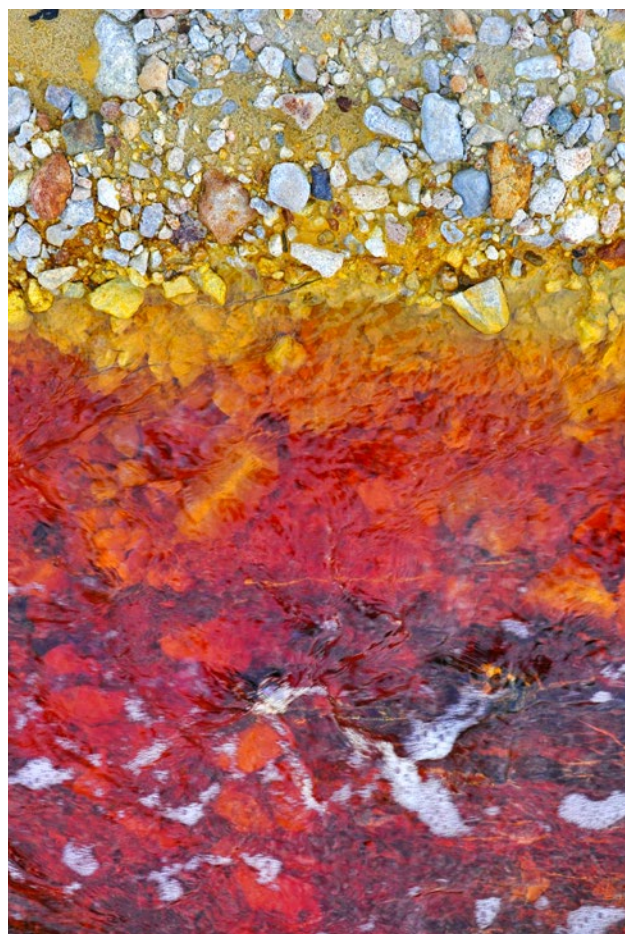


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3. ENVIRONMENTAL PEER REVIEW

NPP3: *“Pilot project for a mechanism of environmental peer reviews on the management of minerals.”*

This NPP received moderate support.

Some participants considered this NPP presented a valuable opportunity to advance thinking and share practices, without imposing specific rules upon countries. Members of the African Group of States pointed to existing mechanisms in the region that could serve as useful precedent; and some Member States noted that through this NPP, South-South and also triangular cooperation could be promoted.

It was suggested that a focus could be on implementation action, recalling challenges identified during consultations around regulatory monitoring and enforcement. It was reiterated that the NPP would start with a pilot project. Participants emphasised that the peer review mechanisms would need to remain voluntary.

Some delegations wished for more detailed explanation as to how the project would work in practice. For example: what would constitute a ‘peer’ in a multilateral space (rather within regional context where there may be more similarity).



4. GLOBAL SAND OBSERVATORY

NPP4: *“Establish a Global Sand Observatory.” [Mandate may potentially include: (a) Information gathering, dissemination and awareness-raising; (b) Data collection and analysis, and hosting of a data repository; (c) Capacity building; (d) Provision of technical expertise, including in relation to policy and regulation; (e) Development of guidelines/checklists or model instruments e.g., on establishing legal frameworks for sand extraction, and on monitoring of compliance with those frameworks; (f) Remote technology and a platform for monitoring data for sand mining, including tracking vessels engaged in marine dredging, showing the impact of sand extraction on the environment over time, and mapping supply needs against resources; (g) Development of innovative approaches and options for reduction, substitution, restoration, recycling - with supporting tools; (h) Sharing of best practices and lessons learnt; (i) Technology transfer; (j) Mobilising partnerships (with global coverage).]*

This NPP received broad support, with some divergent views.

While the mandate proposed in the NPP was broadly supported, however some delegations had different views about the exact scope. Member States stressed the need for a clear mandate, which would also assist with cost-effectiveness.

It was reiterated that that the policy element should be non-prescriptive for States, since the Global Sand Observatory should be about exchange of best practices and providing guidance for improving policies.

Different views were shared with regard to definitions and categories of sand. Focus on data-sharing, with transparency and verification functions were also cited as important, with some delegations seeking reassurance in particular with regard to the mode and conditions of data sharing.

It was suggested that UNEP/GRID-Geneva could serve as secretariat for the Global Sand Observatory. Participants supported the proposal that the Observatory would need to link with other agencies working on this issue. Questions were raised around funding, as well as who could be represented on the steering committee.

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5. CAPACITY-BUILDING, TECHNICAL ASSISTANCE ETC. TO IMPROVE ENVIRONMENTAL SUSTAINABILITY OF MINING

NPP5: *“Support for how to apply best practices for environmental sustainability of minerals and metals at national level, including through capacity building, technical assistance and transfer of know-how, as appropriate.”*

This NPP received broad support.

Participants expressed the view that - without capacity development, technical assistance, and knowledge exchange - other NPPs and initiatives may be ineffective. Delegations further emphasised that the scope of this NPP should include facilitation of technology transfer, upskilling and financial support. A suggestion was made to focus a workstream under this NPP on relevant regulation and research.

Finally, some delegations also raised the need to consider how to raise awareness, provide training and capacity building opportunities for young people in particular.



Cluster B: VALUE CHAIN ASPECTS

6. CIRCULAR ECONOMY, SUSTAINABLE CONSUMPTION AND PRODUCTION

NPP6: *“Work towards promotion of the circular economy, sustainable design, consumption and extended producer responsibility at the national level, including by addressing regulatory barriers and developing legislative guides.”*

This NPP received broad support, though some delegates queried the use of the term ‘promotion’ in the wording of the NPP.

In relation to circular economy and sustainable consumption and production, Member States highlighted a need for greater general awareness-raising around these concepts. There was a call for better coordination across UN agencies; and delegations also noted the link between this UNEA resolution 5/12 process with UNEA resolution 5/11 on circular economy, and other multilateral environmental agreements and international processes on critical minerals.

Member States identified an opportunity for circular economy concepts to reduce new mines and bring additional benefits to the global South through focus not only on primary production but also from value added throughout the supply chain. In this regard, re-mining and re-use of tailings was emphasised as an important new area which would benefit from further focus. Some delegations highlighted the need to coordinate in this regard with the Basel Convention (see also item 12, below).

Participants identified the following areas as important components of this NPP: transparency and accountability across the supply chain; sustainable design, with a move away from planned obsolescence; demand reduction; alternative materials; and recycling. For recycling in particular, access to technology, development of skill sets, and economies of scale were identified as challenges, particularly in developing countries. This may be assisted by initiatives to encourage information-sharing regionally and internationally. Generally, this NPP was identified as covering topics that would benefit from technology transfer, access to finance and capacity building.

Transparency was emphasised repeatedly, and some delegations referred specifically to mandatory business disclosures, cross-referencing also the Kunming-Montreal Global Biodiversity Framework, target 15.

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7. TAILINGS

NPP7: *“Global mapping, cartography, inventory and classification of tailings facilities, including toxicity.”*

NPP8: *“Develop a manual for the design and construction of tailings facilities.”*

NPP9: *“Technical guidelines and standards for the safety and environmentally sound management, and safe disposal, of tailings facilities.”*

NPP10: *“National focal points to follow the implementation of the Global Industry Standard for Tailings Management (GISTM).”*

There was broad support for NPPs focused on tailings management generally; and it was suggested that the four separate tailings NPPs may benefit from merging. International databases to identify hotspots and share information were also proposed.

Member States commented that industry standards dominate, and governments lack capacity. While existing standards and guidelines are acknowledged, national legislative and capacity gaps remain. This is the rationale behind requests for strengthening of national regulations and guidelines, and greater technical assistance and capacity-building in this area. Delegates were keen in particular to consider how to build upon the Conventions, expertise and bodies of work presented by the regional economic commission, including UNECE’s Industrial Accidents Convention.

There was considerable interest in support on identifying and managing toxicity of tailings; and in this context, re-processing of tailings was identified as an opportunity but also as presenting risks. An observer noted the possibility that the same community may be impacted twice by re-mining projects. The link was made in some discussions between tailings and human health and human rights, including the right to a healthy environment.

8. CLOSURE

NPP11: *“Establish mine closure criteria, and environmental, social, economic guidelines for mine closure based on indicators.”*

NPP12: *“Promote the re-use and re-development of old and abandoned mine sites, and reprocessing of tailings from old mining operations.”*

NPP13: *“UNEP to explore collaboration with IGF on mine and tailings facility closures, site rehabilitation and restoration and post-closure monitoring, where this adds value.”*

NPP14: *“UNEP, with relevant stakeholders, to undertake research on financing of mine closure and reclamation.”*

NPP15: *“Establish an inventory of abandoned mine sites.”*

There was broad support for NPPs focused on mine closure generally; and it was suggested that the five NPPs on mine closure may benefit from being merged.

The point was reiterated that governments need to take mine closure and restoration plans into account at licensing and mine design phase. The importance of effective financial guarantees was heavily stressed, and some delegations suggested that more research into options and experiences in this regard would be helpful. Delegates also noted that mine closure planning should include direct participation of local communities

Re-emphasis was placed on the prevalence of abandoned mines and mines that have not been properly closed; and as such, the proposal regarding an inventory of such sites was strongly supported. Financing was also identified as a major obstacle in the restoration of legacy sites. A possible trust fund or monitoring capacity to assist with mine closure and restoration was proposed – with related questions raised around funding sources, and which institution would be best-placed to manage this.



Cluster C: PLATFORMS FOR INTERNATIONAL COOPERATION

9. OPEN-ENDED / TECHNICAL WG

NPP16: “Establish an open-ended intergovernmental working group to follow up on the implementation of the proposals made, and to address the needs identified, under this UNEA Resolution 5/12 process.”

This NPP received broad support. It was seen as an opportunity to harness the momentum built during this UNEA resolution 5/12 process, and for following up on the NPPs, including further refining them and prioritisation.

It was noted that that this proposed Working Group could also help with cohesion and synergies across different international agencies and processes, which had been identified as a cross-cutting issue.

Some delegations noted that the technical nature of the subject matter supported the idea of a technical group, who can lead and support with NPP scoping and implementation. The suggestion was also made that there may be a need for multiple sub-groups e.g. framed around different stages of the full life cycle or focused on different NPPs, such as steering the implementation of NPP1.

Delegations had questions about specifically who would comprise the membership, and how non-State actors would be included in the NPP; as well as regarding resourcing for the group and its activities. It was suggested that this group could potentially be composed of nominated National Focal Points and observers from civil society – to be more inclusive and build on on-going activities.

10. MULTI-STAKEHOLDER DIALOGUE

NPP17: “Develop dialogue mechanisms and convene multi-stakeholder policy dialogues, including with the support of the UN”

There was moderate support for this NPP.

It was noted that a UN-led dialogue can be a productive way to connect stakeholders and gather information from different actors. Similarly, it was framed that this NPP could serve a purpose to prevent or correct misinformation, and the UN’s role as a neutral body was instrumental in this regard.

One delegation wished to emphasise the importance of creating mechanisms for communities that live around mines, providing a safe place to raise concerns, and accountability for follow-up, with protections afforded to environmental human rights defenders. It was suggested that this point could also be a standalone new NPP (see ‘Other NPPs Suggested’ section, below).

Some delegations acknowledged the importance of UN supported dialogue, including with Indigenous Peoples and their communities, but expressed the need to narrow down and prioritise these ideas, as well as clarify what this dialogue would include. Some delegations queried whether this NPP may duplicate aspects of the Working Group proposed under NPP16.

11. COOPERATION BETWEEN INTERNATIONAL ORGANISATIONS

NPP18: “Cooperation between international organisations, and processes.”

This NPP received broad support in principle. Delegates noted it spoke to the concurrent theme of promoting further collaboration and cooperation with existing mechanisms and agencies.

Several specific International Organisations and secretariats were mentioned during this meeting (e.g. IGF, Extractive Industries Transparency Initiative (EITI), UNECE, the Convention on Biological Diversity (CBD), the Agreement on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ), the International Seabed Authority (ISA), International Resource Panel (IRP), International Standards Organisation (ISO), Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution). Others had been referenced in the background report and summary reports of the intergovernmental regional consultations.

Some delegations highlighted that it would be helpful to have a consolidated list of all relevant international mechanisms. Some delegations suggested that this NPP 18 could also be merged with NPPs 19 and 20 (below); and there was some feedback that the NPP is phrased too generally in its original formulation and would benefit from refining to be more precise.

12. COLLABORATION WITH MULTILATERAL ENVIRONMENT AGREEMENTS (MEAS)

NPP19: *“Collaborate with the Minamata Convention with regards to artisanal and small-scale mining.”*

NPP20: *“Collaborate with the Convention on Biological Diversity, in the follow-up of the COP 15 decision 24, with regards to the provisions pertaining to deep sea mining environmental safeguards.”*

In relation to NPPs19 and 20 taken together, there was a call to add additional instruments to the list of relevant MEAs. This included the Basel Convention, due to its work on waste streams from mining, e-waste, other waste containing metals, re-mining, transport of waste, battery recycling, and other cross-over points. Also, the UNECE Convention on the Transboundary Effects of Industrial Accidents was considered an important instrument; the Convention to Combat Desertification was raised as relevant to land restoration of mine sites; and the Aarhus Convention was also highlighted, noting that its Parties have committed to apply its provisions (on access to information, public participation and access to justice in environmental matters) at regional and global level as well as national.

A. Minamata Convention on Mercury

NPP19 received broad support, with Member States noting its relevance to artisanal and small-scale mining which had been identified as a significant priority area from some of the regional intergovernmental consultations.

Existing projects, including PlanetGOLD (and related gold traceability work), and the Mercury partnership, were acknowledged, as well as the Minamata Convention Secretariat’s support to the development of national action plans. It was raised that such Minamata work, operating effectively, remains under-funded, suggesting a need to fund and promote existing mechanisms, rather than creating new ones.

B. Convention on Biological Diversity and Deep-Sea Mining

This NPP received moderate support.

The potential of deep-sea mining as a new extractive industry was emphasised as an important emerging issue, requiring stringent governance. Particular issues were raised about environmental impacts, and the need to apply the precautionary principle was underscored. The position of several countries calling for a moratorium or precautionary pause on seabed mining was noted,

though the diversity of views across different Member States on this issue was also recognised.

Some discomfort was expressed about the potential overlap of this NPP with existing processes including the International Seabed Authority (ISA). As such, it was also suggested that this NPP20 could be further refined by asking UNEP to strengthen scientific knowledge with respect to environmental impacts and risks related to deep-sea mining and strengthen collaboration with the ISA on environmental aspects related to deep-sea mining.

Observer organisations commented that focus on deep-sea mining could be shifted instead towards improving land-based mining, recycling and other circular economy approaches.



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13. LAC NETWORK

NPP21: “Create a Latin American and Caribbean Network of experts on mining and sustainability.”

NPP21 was not a major focus of discussion during the meeting, though support for the NPP was reiterated by some GRULAC delegations at the meeting; and there was general support to any methods that facilitate exchange of positive and negative experiences.

Other participants suggested that the NPP could be extended to wider experts, not only one region. It was also described as a potential opportunity to seek harmonisation of laws.

14. INTERNATIONAL AGREEMENT ON MINING

NPP22: “Explore the idea of an international agreement to support environmental consideration in mining (e.g. in the update of national legislation)”

This NPP did not receive broad support, with participants indicating that the discussions are not yet mature enough to consider an international treaty. There was a preference instead at this stage to focus on existing mechanisms and promote further collaboration and cooperation with other platforms such as those previously mentioned (e.g. ISO, OECD, ICMM, IGF, EITI, UNECE, CBD, BBNJ, ISA, IRP, Intergovernmental Science-Policy Panel on Chemicals, Waste and Pollution, Basel, Minamata).

It was also suggested that the global assessment of existing instruments should be completed first, before exploring the idea of this NPP.

15. ESCAZÚ AGREEMENT

NPP23: “Support the implementation of the Escazú Agreement”

This NPP was not a major focus of discussion during the meeting. Though an observer organisation representing grass-roots civil society organisations gave the NPP strong support, as the Escazú Agreement hinges on meaningful communication with communities.

Some delegations expressed that the focus seemed too regional for an NPP, unless it was expanded to cover broader participation and wider instruments relating

to access to information and justice (for example the Aarhus Convention).

16. INTERNATIONAL SDGS MINERAL PROGRAMME

NPP24: “Explore the idea of an international mineral programme that would support the SDGs / 2030 Agenda and assist Member States with the alignment of mining policies.”

NPP24 was not a major focus of discussion during the meeting, though the idea behind this NPP seemed generally supported, as Member States reaffirmed the importance and relevance of the Sustainable Development Goals to considerations of the life-cycle of metals and minerals.

Some participants suggested that the same point of this NPP would be covered by other NPPs.

OTHER NPPS SUGGESTED

As noted above, one delegation emphasised the importance of creating mechanisms for communities that live around mines, providing a safe place to raise concerns, and accountability for follow-up, with protections afforded to environmental human rights defenders. It was suggested that these points could comprise a new NPP.

Some delegations also proposed to include a new cross-cutting NPP on introducing mechanisms for improving the monitoring of compliance with, and enforcement of, existing mining legal frameworks, including those on refining processes or on general operations of operating mines.

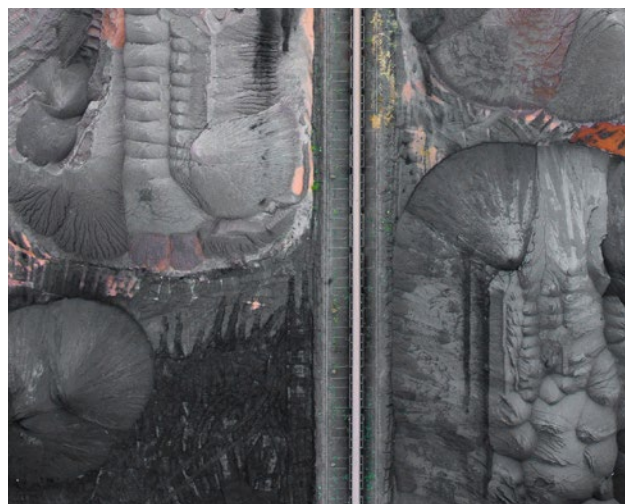


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Agenda item 8: Other Matters

No other matters were raised.

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Agenda item 9: Closing Meeting

After various acknowledgements, including to the Secretariat team who have supported the meeting, the Governments of Switzerland, Finland and Germany, and the European Commission for financial contributions, as well as to delegates for their active participation; the Co-Chairs adjourned the Global Intergovernmental Meeting on UNEA resolution 5/12 on environmental aspects of minerals and metals management on the evening of 8th September 2023.

Three side events were held during the lunch breaks of the Global Intergovernmental Meeting. The side events discussed (i) the topic of critical minerals, organized by UNEP; (ii) sand mining and alternative livelihoods, organized by Sierra Leone and (iii) community perspectives on mineral governance, organized by Earthworks.

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Next steps

Member States are invited to reflect upon the discussions summarised in this report, and to consider how they may wish to approach progression or implementation of the NPPs at the sixth session of the UN Environment Assembly, which will take place from 26 February-1 March 2024 in Nairobi.



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Protocol and Liaison Service

List of Delegations to the conference

“UNEA 5/12 Environmental Aspects of Minerals and Metals Management - Global Intergovernmental Meeting”

MEMBER STATES

Algeria

Online participation

M. Madjid Boudboub, Ministry of energy and mining

Argentina

Mr. Leonardo Pflüger, Mining Secretariat of Argentina

Online participation

Mr. Federico Martinez, Mining Secretariat of Argentina

Ms. Irina Talamoni, Ministry of Environment and

Sustainable Development

Ms. Marisol Diaz Rivera, Ministry of Environment and Sustainable Development

Sr. Carlos Martínez, Mining Secretariat of Argentina

Armenia

Ms. Narine Hakobyan, Ministry of Environment, Land and Underground Resource Policy Department

Belgium

Online participation

Mr. Kris van Looy, Public Waste Management Agency of Flanders, OVAM

Ms. Chloé Hanin, Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

Ms. Florence Limet, Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

M. Jean-Louis PONT, Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

Ms. Christine Detaille, Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation

Belize

Online participation

Ms. Michelle Alvarez, Ministry of Natural Resources, Petroleum and Mining

Bhutan

Mr. Phuntsho Namgyal, Department of Geology and Mines, Ministry of Energy and Natural Resources, Royal Government of Bhutan

Bosnia and Herzegovina

Ms. Alma Šahbegović, Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina

Online participation

Mr. Admir Softic, Ministry of Foreign Trade and Economic Relations

Brazil

Mr. Helges Samuel Bandeira, Second Secretary - Foreign Affairs

Ms. Mirian De Oliveira, Department of Environmental Quality

Online participation

Ms. Dione Macedo, Ministry of Mines and Energy

Mr. Carlos Hugo Suarez Sampaio, Deputy Head of the Office for International Affairs

Mr. Nelson Linhares, Ministry of Foreign Affairs

Burkina Faso

Mme. Maria Zongo, Ministère de l'Environnement, de l'Eau et de l'Assainissement

Cambodia

Mr. Chanthearith Ou, Department of Science and Technology, Ministry of Environment

Mr. Pech Chetra Sim, Department of Science & Technology, General Directorate of Policy & Strategy, Ministry of Environment

Online participation

Mr. Kimlaeng Hay, Department of Industrial Mining

Cameroon

M. Gounes John, Ministry of Environment Protection of Nature and Sustainable Development

Canada

Online participation

Mr. Jeffrey Akomah, Policy Analyst Natural Resources Canada

Chad

M. Eli Guihinimi Souleyman, Ministère Des Mines Et De La Géologie

Mme. Oumar Abdallah Haoua, Ministère Des Mines Et De La Géologie

Chile

Sra. Gabriela Encina Vera, Mining Ministry

Mr. Alejandro Montero, Embassy of Chile in Kenya

China

Ms. Zixi Fu, Ministry of Ecology and Environment

Online participation

Ms. Chengbo Fei, Officer Ministry of Ecology and Environment

Mr. Yong Ren, Deputy Division Director Ministry of Ecology and Environment

Colombia

Mr. Hernán Sierra Montes, Vice Presidencia de Promoción y Fomento - Agencia Nacional de Minería

Czechia

Online participation

Mr. Martin Mityska, Ministerial Counsellor Ministry of the Environment

Côte d'Ivoire

M. Yro Hyacinthe TIE, Ministère de l'Environnement et du Développement Durable

Democratic Republic of the Congo

Mr. Bope Bope Lapwong Jean Marie, Ministry of Environment - Water Resources Department

Djibouti

Online participation

Mr. Ibrahim Moussa Miguil, Ministère de l'Agriculture

Dominica

Online participation

Mr. Florian Mitchel, General Manager Dominica Solid Waste Management Corporation

Dominican Republic

Mr. Domingo Amparo Trinidad, Dirección General de Minería/ Ministerio de Energía y Minas

Ms. Maria Santoni Bisoño, Ministry of International Relations

Online participation

Sra. Marisol Castillo, Directora de la Dirección de Convenios y Tratados Internacionales

Ecuador

Ms. Patricia Borja, Permanent Mission to United Nations in Geneva

Online participation

Sr. C. Espinosa, Permanent Mission of Ecuador to the UN in Geneva

Mr. Juan Andres Salvador Munoz, Ministerio de Relaciones Exteriores y Movilidad Humana/Dirección de Ambiente y Desarrollo Sostenible

Mr. Pablo Toro Torres, Analista de Cooperación Internacional Ministerio del Ambiente, Agua y Transición Ecológica

M. Walter Schuldt Espinel, Director of Environment and Sustainable Development, Ministry of Foreign Affairs

Egypt

Ms. Nesreen Baz, Ministry of Environmental Affairs

El Salvador

Online participation

Mr. Carlos Grajeda Hernández, Ministerio de Medio Ambiente y Recursos Naturales

Mr. Francisco García, Ministry of Foreign Affairs

Ms. Mayra Argueta Vda. de Ardon, Ministry of Environment and Natural Resources (MARN)

Equatorial Guinea

Mr. Iram Nsogo Mba Mbasogo, Ministerio De Bosques y Medio Ambiente

Estonia

Online participation

Ms. Helena Gaillan, Advisor Ministry of Climate, Department of Mineral Resources

Eswatini

Mr. Delisa Mamba, Environmental Inspector

Ethiopia

Mr. Kidus Tebikew, Ethiopian Environmental Protection Authority

Finland

Online participation

Mr. Jarkko Vesa, Senior specialist Ministry of Economic Affairs and Employment of Finland

Mr. Tommi Kauppila, Ministry of Economic Affairs and the Employment of Finland, Geological Survey of Finland

France

Mme. H el ene Le Boedec, Ministry of the Environmental Transition

M. Thomas Masbou, Minist ere de l'Europe et des Affaires  trang eres

Gabon

Online participation

M. Didier Robert Revandine, Minist ere des Mines et de la G eologie

Gambia

Mr. Lamin Samateh, National Environment Agency (NEA)

Georgia

Ms. Galina Bitsadze, LEPL National Agency of Mineral Resources, Ministry of Economy and Sustainable Development

Germany

Ms. Inga Wagner, German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection

Mr. Jan Kosmol, German Environment Agency

Mr. Timon Lepold, German Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection

Ghana

Mr. Gyimah Mohammed, Ministry of Environment, Science, Technology and Innovation

Guatemala

Sra. Laura Ver nica L pez de Guillen, Ministerio de Ambiente y Recursos Naturales

Online participation

Mr. Alejandro Fuentes, Asesor Ambiental Ministerio de Energ a y Minas

Ms. Tamara Claudio, Socio-Environmental Management Unit Interim Chief Ministry of Energy and Mines

Guinea

Online participation

Mme. Kadiatou DIALLO, Minist ere de l'Environnement et du D veloppement Durable

Guinea-Bissau

Sr. Filipe Manuel Monteiro, Minister of Environment and Biodiversity

Online participation

M. Abdulai Banora, Ministry of Environment and Biodiversity

Guyana

Online participation

Mr. Carl Matthews, Ministry of Natural Resources

Ms. Felicia Adams-Kellman, Head of Department, Multilateral Environmental Agreements, Planning and Policy Department, Environmental Protection Agency

Haiti

M. Evans Louis, Ministry of Environment

Online participation

Mr. James Cadet, Environment Ha ti

Honduras

Sr. Yehosua Pineda Guevara, Instituto Hondure o de Geolog a y Minas / Unidad de Ambiente y Seguridad

Online participation

Ms. Ana Lozano Contreras, Instituto Hondure o de Geolog a y Minas

Hungary

Online participation

Ms. Enik  Gazdagn  R zsa, Strategic desk officer for environmental development, Ministry of Energy

Ms. Zsuzsa Hargitain  Moln r, Desk Officer for Mining, Ministry of Energy

Ms. Maria Galambos, Ministry of Agriculture

India

Online participation

Mr. Rohitkumar Vadhwana, Deputy Permanent Representative, High Commission of India, Kenya

Indonesia

Mr. Danny Rahdiansyah, Embassy of the Republic of Indonesia in Nairobi

Online participation

Mr. Esfandri Nurbi, Permanent Mission of the Republic of Indonesia in Geneva

Iran (Islamic Republic of)

Ms. Shideh Atri, Department of the Environment

Ireland

Online participation

Mr. Ian Devlin, Assistant Principal Department of the Environment, Climate and Communications

Italy

Online participation

Mr. Marcello Saralli, Director - Head of Section, Ministry of Environment and Energy Security

Jamaica

Ms. Shanti Persaud, Jamaica Bauxite Institute

Online participation

Ms. Toni-Ann Miller, Ministry of Economic Growth & Job Creation

Ms. Joni Jackson, Ministry of Economic Growth & Job Creation

Mr. Matthew Samuda, Ministry of Economic Growth & Job Creation

Japan

Online participation

Mr. Ryosuke Tanaka, Ministry of Economy, Trade and Industry

Kenya

Ms. Mercy Oluoch, Ministry of Foreign and Diaspora Affairs

Kyrgyzstan

Online participation

Mr. Marat Jusupbekov, Ministry of Natural Resources, Ecology and Technical Supervision of Kyrgyzstan

Mr. Melis Turgunbaev, Ministry of Natural Resources, Ecology and Technical Supervision of Kyrgyzstan

Mr. Nursultan Baktybekov, Ministry of Natural Resources, Ecology and Technical Supervision of Kyrgyzstan

Lao People's Democratic Republic

Mr. Virana Sonnasinh, Department of Land, Ministry of Natural Resources and Environment

Online participation

Mr. Phanthanam Latsachack, Ministry of Natural Resources and Environment / Provincial of Natural Resources and Environment, Khammouane Province

Liberia

Online participation

Mr. John Kpakolo Jallah Jr, Environmental Protection Agency of Liberia

Mali

Mr. Oumar Cisse, Ministère de l'Environnement, de l'Assainissement et du Développement Durable

Mauritius

Ms. Manjusha Ramphull, Ministry of Environment, Solid Waste Management and Climate Change

Morocco

Online participation

Mr. Abelaali Lefdaoui, Ministère de la Transition Energétique et de Développement durable/ Département de la Transition Energétique

Netherlands (Kingdom of the)

Ms. Vera Klok, Ministry of Foreign Affairs / Inclusive Green Growth Department

Nigeria

Mr. Olubunmi Olusanya, Federal Ministry of Environment/ Pollution Control and Environmental Health

North Macedonia

Mr. Ylber Mirta, Ministry of Environment and Physical Planning

Pakistan

Ms. Saqlain Syedah, Permanent Mission of the Islamic Republic of Pakistan

Mr. Umair Khalid, Permanent Mission of the Islamic Republic of Pakistan

Online participation

Mr. Mohammad Asghar, Ministry of Climate Change and Environmental Coordination

Ms. Zakya Rubab, Ministry of climate change and environmental coordination

Panama

Sra. Vielka Perez, Ministerio de Ambiente Panama

Peru

Sr. Bernardo Roca-Rey Ross, Permanent Mission of Peru
- Ministry of Foreign Affairs
Ms. V. Aliaga Araujo, Foreign Affairs

Online participation

Ms. Dallas Noelia Gonzales Malca, Environment Ministry

Philippines

Mr. Teodorico Sandoval, Mines and Geosciences Bureau

Online participation

Ms. Donna Mae Longga, Department of Environment and Natural Resources

Qatar

Mr. Abdulaziz Ali Ajlan Al-Muraikhi - Ministry of Natural Resources

Romania

Online participation

Ms. Sandica Liliana Gherghe, Ministry of Economy, Entrepreneurship and Tourism
Mr. Sabin Plosceanu, Counselor, ANPM

Russian Federation

Mr. Ilya Demidov, Permanent Mission of the Russian Federation to the United Nations Office

Rwanda

Online participation

Mr. Dismas Karuranga, Directorate of Environment and Climate Change

Saudi Arabia

Mr. Ahmed Ajabnoor, Ministry of Industry and Mineral Recourses
Mr. Mohammed Tayeb, Ministry of Industry and Mineral Resources
Mr. Qasim Al-Sharari, Ministry of Environment
Mr. Zaid Althalhi, Saudi Ministry of Environment, Water and Agriculture

Online participation

Mr. Ali Al-Omari, Ministry of Environment, Water and Agriculture

Senegal

Mme. Khadidiatou Drame, Ministry of the Environment, Sustainable Development and Ecological Transition
Mr. Pathé Diéye, Minister of Environment

Sierra Leone

Ms. Saffie Kalokoh, Environment and Climate Change
Mr. Alimamy Sesay, Environment and Climate Change/ Operation Department

Slovenia

Online participation

Mr. Marko Maver, Ministry of Natural Resources and Spatial Planning

Solomon Islands

Mr. Desmond Maedia, Environment and Conservation Division, Ministry of Environment, Climate Change, Disaster, Metrology

Somalia

Mr. Kamal Ahmed, Ministry of Environment & Climate Change

Online participation

Mr. Mubarak Isse, Department of Public Health

Spain

Mr. Juan Bautista Martínez Amiguetti, Ministry for the Ecological Transition and the Demographic Challenge

Online participation

Ms. Andrea Hernández Martín, Ministry for Ecological Transition and Demographic Challenge

Sri Lanka

Mr. Mudalpath Mudiyansele Janaka Priyantha Ajith Prema, Ministry of Environment, Geological Survey and Mines Bureau

Suriname

Ms. Vanessa Sabajo, Ministry of Spatial Planning and Environment

Sweden

Online participation

Ms. Ann-Marie Fällman, Swedish Environmental Protection Agency

Switzerland

Ms. Martine Rohn, Swiss Federal Office for the Environment
Mme. Laura Platchkov, Swiss Federal Office for the Environment

Syrian Arab Republic

Ms. Ola Mustafa Alhaj Mustafa Alhaj Mustafa, Ministry of Local Administration and Environment/ Environmental Safety Directorate

Tajikistan

Mr. Makhmadsho Sangov, Service of State Supervision of Safety Works in Industry and Mining Supervision under the Government of the Republic of Tajikistan

Thailand

Ms. Siriwan Chainarong, Ministry of Industry/Department of Primary Industries and Mines

Online participation

Mr. Aditad Vasinonta, Department of Primary Industries and Mines

Mr. Annuwat Wattanawan, Department of Primary Industries and Mines

Timor-Leste

Mr. Nelson Madeira, Ministry of Tourism and Environment

Togo

Mr. Tchala Matiyou, Direction de l'Environnement

Tonga

Mr. Sione Lepa, Department of Environment

Trinidad and Tobago

Mr. Monty Beharry, Ministry of Energy and Energy Industries / Minerals Division

Tunisia

Mr. Nabil Hamdi, Ministère de l'Environnement

Tuvalu

Online participation

Mr. Poulaga Vavau, Department of Environment, Government of Tuvalu

Türkiye

Online participation

Mr. Mehmet Ali Kahraman, Ministry of Environment, Urbanization and Climate Change
Permanent Mission of Türkiye to UNOG

Uganda

Mr. Isaac Ntujju, National Environment Management Authority (NEMA)

Online participation

Mr. Jerome Lugumira, National Environment Management Authority

United States of America

Ms. Cynthia Ebinger, Department of State

Ms. Jane Dennison, Department of State

Mr. Robert Wing, Department of State

Online participation

Ms. Kathryn Youel Page, Department of State

Venezuela (Bolivarian Republic of)

Mr. José García, Ministerio del Poder Popular para el Ecosocialismo

Viet Nam

Ms. Thi Cam Uyen Nguyen, Department of International Cooperation, Ministry of Natural Resources and Environment

Yemen

Mr. Yasser al Ghopir, Ministry of Water&Environment

Zambia

Mr. Chiboo Kapambwe, Ministry of Mines and Minerals Development, Mines Safety Department

Online participation

Mr. Mfmu Richard Lungu, Ministry of Green Economy and Environment

Zimbabwe

Online participation

Ms. Pauline Nhunzvi, Ministry of Environment, Climate, Tourism and Hospitality Industry

MEMBERS OF SPECIALIZED AGENCIES

Cook Islands

Mr. Hugh Henry, Cook Islands National Environment Service

European Union

Mr. Giovanni Santambrogio, Directorate General for Environment

State of Palestine

Online participation

Ms. Shahd Musleh, Environment Quality Authority

Ms. Sabreen Daghra, Environment Quality Authority

Mr. Yaser A Abushanab, Environment Quality Authority

MEA'S AND UNEP AFFILIATED ENTITIES

Secretariat of the Basel, Rotterdam and Stockholm conventions

Ms. Francesca Cenni, Programme Officer

Online Participants:

Ms. Marylene Beau, Programme Officer

Ms. Mehrnoosh Azodi, Programme Officer

Secretariat of the Minamata Convention

Mr. Eisaku Toda, Senior Programme Officer

Mr. Richard Gutierrez, Programme Management Officer

UNEP

Ms. Claudia Schiavelli, Geneva Environment Network

Mr. Jan Harvey Parafina, Geneva Environment Network

Ms. Charlotte Ndakorerwa, Consumption and Production Unit

Ms. Angela Kariuki, Intergovernmental Affairs

Ms. Djaheezah Subratty, Consumption and Production Unit

Ms. Hannah Lily, Consumption and Production Unit

Ms. Sheila Aggarwal Khan, Director, Industry and Economy Division

Ms. Beatriz Martins Carneiro, Latin America and Caribbean Regional Office

Ms. Heidi Savelli, Marine and Freshwater Branch

Ms. Elisa Tonda, Chief Resources and Markets Branch

Mr. Pascal Peduzzi, GRID-Geneva

Ms. Malgorzata Stylo, Chemicals and Health Branch

Mr. Kenneth Davis, Chemicals and Health Branch

Mr. Nasrudin Abdirashid, Governance Affairs Office

Ms. Stephanie Chuah Shin Ju, GRID-Geneva

Online Participants:

Ms. Julia Vilela Carvalho, Consumption and Production Unit

Ms. Beatriz Fernandez Hernandez, Industry and Economy Division

Ms. Zhanyi Moldaliev, Europe Regional Office

Mr. Robert Mburia, Consumption and Production Unit

Ms. Mijke Hertoghs, Chemicals, Waste and Air Quality, Europe Office

Ms. Leticia Reis de Carvalho, Chief Marine and Freshwater Branch

OTHER UN SYSTEM ORGANISATIONS

ESCWA

Mr. Hammou Laamrani, Economic Affairs Officer, Food and Environment Policies section, Climate Change and Natural Resource Sustainability Cluster

Ms. Radia Sedaoui, Energy Section, Sustainable Development Policies Division

OHCHR

Mr. Igor Gryshko, Environment and Climate Change Team

Ms. Zhen Yu, Environment and Climate Change Unit

UNCTAD

Ms. Chantal Line Carpentier, Chief, New York Office of the Secretary-General

UNECE

Mr. George Georgiadis, Sustainable Transport Division

Ms. Claudia Kamke, Environmental Affairs Officer

Mr. Joseph Orangias, Associate Environmental Affairs Officer

UNODC

Ms. Elisabeth Seidl, Crime Prevention and Criminal Justice Officer

ACCREDITED INTERGOVERNMENTAL ORGANIZATIONS (IGOS)

Other IGOs observers to UNEA

Basel Convention Regional Center (BCRC)

Mr. Ruslan Butovskiy, Director

International Union for Conservation of Nature

Ms. Alexandra Harrington, Chair, IUCN WCEL Agreement on Plastic Pollution Task Force

Mme. Annie Dakmejian, Programme Officer Enterprise and Investment team

Mr. Clément Chazot, Programme Officer Ocean team

Mme. Florence Curet, Enterprise and Investment Team

Ms. Minna Epps, Director of Ocean team

Online participation

Mme. Karin Siegwart, Head of Delegation/Senior Policy Advisor

Mr. Martin Sneary, Head Enterprise and Investment Centre for Economy and Finance

IISD/ Earth Negotiations Bulletin

Ms. Daniela Morich

Mr. Keith Ripley

F. Wangu Mwangi

Online participation

Ms. Anastasia Rodopoulou

Intergovernmental Forum in Mining, Minerals, Metals and Sustainable Development

Mr. Grégoire Bellois

Ms. Thelma Halim

Ms. Murtiani Hendriwardani

International Society of Doctors for the Environment - ISDE (ECOSOC)

Ms. Lilian Corra, International Secretary

INVITED GUESTS AND SPEAKERS

Church of England Pensions Board

Mr. Stephen Barrie, Deputy Director of Ethics and Engagement

UNEP ACCREDITED NON-GOVERNMENTAL ORGANIZATIONS (NGOS)

AbibiNsroma Foundation

Online participation

Mr. Kenneth Nana Amoateng, Executive Director

Action pour le Respect et la Protection de l'Environnement

Online participation

M. Marcelin Adamou Abou, Cadre Technique de l'Environnement

African Environmental Network (AEN)

Online participation

M. Joseph Antoine Njanda Tchouyou, Deputy Coordinator

Mr. Paul Lodry Dongmo, Coordinator

African Youth Peer Review Committee (AYPRC)

Online participation

Ms. Dencotee Tardey, Advocacy Officer for Gender Inclusion

Ms. Mamie Varney, Policy Advisor on Climate Change

Afrique Esperance

Ms. Soumya Momen, Representante Principale

AKO Foundation

Online participation

Mr. Kwame Ofori, Executive Director

Association des Etats Generaux des Etudiants de l'Europe (AEGEE)

Mr. Gyubin Hwang

Online participation

Mr. Ashutosh Tiwari, Member, Children and Youth Major Group

Association Institute of Total Environment (INTEV)

Mr. Samuel Tetsopgang, President and Co-Founder

Atlantic State Legal Foundation Inc (ASLF)

Online participation

Mr. Medani Bhandari, Director

Carbone Guinée

Online participation

Ms. Ndeye Fatou Ndiaye, Chemical Waste Management

Centre for Earth Works (CFEW)

Online participation

Mr. Benson Fasanya, Executive Director

Centre for Environment Justice (CEJ)

Online participation

Mr. Freeman Mubanga, Head of Research and Studies

Centre for Human Rights and Climate Change Research

Ms. Omoyemen Odigie-Emmanuel, Director

Children's Environmental Health Foundation

Online participation

Mr. Michael Musenga, Executive Director and National Lead Elimination Advisor

China Biodiversity and Green Development Foundation

Ms. Yingjia Xiao, International Department

Climate Change Africa Opportunities (CCAO)

Online participation

M. Tresor Akilimali, Africa Coordinator

Community Transformation Foundation Network (COTFONE)

Online participation

Mr. Abdul Nafi Matovu, Regional Coordinator East Africa

Mr. Brian Ssenkezi, Climate Justice Coordinator

Mr. David Kijjambu, Projects Organizer

Ms. Jesca Grace Nakasuse, Project Officer Youth and Environment

Mr. Peter Kayiwa, Administrative assistant

Comparatively for Tanzania Elites Community Organizers (CTECO)

Online participation

Mr. Musa Wawuyo, Director

Defensores do Planeta

Online participation

Mr. Mauro Pereira, Executive Director

Development Alternatives

Online participation

Ms. Bharti Jasrotia, Deputy Manager - Climate Change

Dominicans for Justice and Peace - Order of Preachers

Online participation

Ms. Laurence Blattmer, Programme Coordinator

Earthworks

Ms. Janice Morrill, Tailings Campaign Manager

Mr. Fernando Peña Segura, Coordinator

Mr. Hassen Lorgat, Advocacy & Lobbying

Ms. Lorena Aranha Monteiro dos Santos Curuaia,
Leadership Curuaia People

Online participation

Ms. Leoncia Ramos, Community Organizer

Eco-justice Ethiopia

Online participation

Mr. Eskedar Ergete, Executive Director

Ecological Restorations (ER)

Online participation

Mr. Emmanuel Odjam-Akumatey, Executive Director

Emirates Environmental Group (EEG)

Online participation

Ms. Habiba Al Marashi, Co-Founder and Chairperson

Environmental Management for Livelihood Improvement- Bwaise Facility

Online participation

Mr. Crispus Mulwany, Green Policy Advisor

Mr. Henry Ssemanda, Projects Organizer

Mr. Kened Mazzi, Youth Coordinator Masaka Region

Mr. Miti Derrick, County Supervisor

Environmental Protection Trainings and Development Organization (EPTDO)

Online participation

Mr. Abdulhadi Achakzai, Founder and CEO

European Environmental Bureau

Mr. Diego Marin, Policy Officer for Raw Materials and
Resource Justice

Mr. Edson Krenak, Cultural Survival/SIRGE Coalition
Advocacy Coordinator and Lead on Brazil

Federation of Environmental and Ecological Diversity and Agricultural Revampment with Human Rights. (TheFEEDAR&HR)

Online participation

Mr. Tcharbuahbokengo Nfinn, Director General

Federation of Trade Unions of Agriculture irrigation Fishing and Allied Workers in the Nile Basin Countries (FNB)

Online participation

Mr. Eid Mersal, General secretary of FNB

Mr. Mohammed Helaly, Executive Director and Projects
coordinator of FNB

Fondation des Oeuvres pour la Solidarite et le Bien Etre Social- FOSBES ONG

Online participation

Mme. Chantal Mulongo Luti, Administrative Secretary

M. Gilbert Kalubi Lufungula, Chief Executive Officer

M. Jean Michée Kalonda Mukendi, Administrative
Director

Force Juvenile pour un avenir rassurant

Online participation

Mr. Toledé Parfait Adanmenoukon, Executive Director

German Speleological Federation (VdHK)

Online participation

Ms. Baerbel Vogel, President

Green Cameroon

Online participation

Mr. Masango Solomon Sone, Executive Director

Green Council

Online participation

Ms. Thandi Katlholo, Vice President

Hamraah Foundation

Online participation

Mr. Mohammed Javed Qureshi, Chairman

Human Environmental Association for Development (HEAD)

Online participation

Mme. Marie Therese Merhej Seif, Chairman & Executive
Director

India Youth for Society

Online participation

Mr. Appala Yendreddi, President

Information Africa Organization

Ms. Nerisa Kamar, Project Coordinator

Institute for Sustainable Development and Research (ISDR)

Online participation

Ms. Kalpana Chaudhari, Vice President

Ms. Somita Chaudhari, Student University of Maryland
Baltimore County

International Association of Geophysical Contractors

Online participation

Mr. Ross Compton, EAME Consultant

International Council on Mining and Metals (ICMM)

Mr. John Lindberg, Policy & Public Affairs Lead

Ms. Claudine Albersammer, Senior Manager – Materials Stewardship

International Forestry Students' Association

Online participation

Mr. Japheth Samuel, Head of UNEP sub commission in IFSA

Ms. Noor Ayuagrita, Head of RECOFTC Sub-Commission

International Human Rights Commission (IHRC)

Online participation

Mr. Ambassador Dr. Muhammad Shahid Amin Khan, World Chair

Ms. Thelma Halim, Policy Advisor ELP-Economic, Law and Policy

International Youth Council-Yemen Chapter (IYCY)

Mr. Ammar Alshaibani

Online participation

Mr. Ezzaddin Ahmed, Environment coordinator

Mr. Tareq Hassan, Chairman

ISHAKA 2250

Mr. Audry Rusangwa, Founder and CEO

Online participation

Ms. Elsie Bertille Itangiteka, Programs Assistant

Mme. Laita Gracia Kazimano, Programs Assistant

Mr. Ndume Willy, Regional Advisor Social Policy

Jeunes en Action pour le developpement Durable

M. Stéphan Tiakoua, Assistant in the Department in charge of the Sustainable development

Mme. Cécile Mawe Moubé épse Nzoda, General Coordinator

Mme. Yvette Claire Biadeu Djine, Consultant

Juventud Unida en Accion

Online participation

Mr. Alejandro Luque, Member

Ms. Hewan Gebrehiwot, Export Manager

Ms. Meron Ketsela, Medical doctor Department of Radiology

Kenya Environment and Waste Management Association

Online participation

Ms. Florence Karue, Community Women Leader

Mr. Moses Habimana, Youth Leader

Ms. Regina Mwai, Women representative Kajiado county

Ms. Sarah Gathua, Youth Leader

Kenya Network of Grassroot Women Foundation (KenGROW)

Online participation

Ms. Faith Njagi, Coordinator

Marine Ecosystems Protected Areas Trust Inc. (MEPA)

Ms. Ruth Spencer, Chair

Meg Wah (My Earth)

Online participation

Mme. Ayuk Tarh Frida, Projects Director

Mr. Eric Tambi Ako, Climate change coordinator

NACASUD-Nepal

Online participation

Mr. Daya Sagar Shrestha, Executive Director

Nigeria Youth Climate Network (NYCN)

Online participation

Ms. Adegbuyi Damilola, Environment and disputes resolution officer

Mr. Ezeobialu Onyedike William, Environmental science and nature based solutions officer

Mr. Maduka Chiemerie Godwin, Environment data and analysis officer

Mr. Onuha Chiwendu, Policy and Advocacy Director

ONG El Ghad Essihi pour le Developpement et la Protection de l'Environnement en Mauritanie (EGEDPEM)

Online participation

Mr. ELHassen Cheikh ELHassen, Chief Administrative Officer

Opportunity Two Excel Foundation

Online participation

Mr. Kofi Wadie, Research Follow (PhD student)

Mr. Osmanu Adamu, Director of Environmental Waste Management and research (PhD student)

Mr. Shepherd Banful, Program Coordinator

Pan African Climate Justice Alliance

Ms. Cecilia Gathitu, Member

Plastic Free Future

Online participation

Ms. Lena Estrada, Indigenous Peoples Representative MGFC UNEP

Probiodiversity Conservationists in Uganda (PROBICOU)

Online participation

Mr. Robert Baganda, Director

Red, Paz, Integracion y Desarrollo «PAZINDE»

Online participation

Ms. Gladys Terrazas, Project Coordinator

Rising Out Of The Ashes (ROOTA)

Online participation

Ms. Nevine Yassa, Founder and Chair

Rural Area Development Programme (RADP)

Online participation

Ms. Pooja Sharma Nepal

Mr. Rajendra Adhikari, Chairman/Programme Coordinator

Satellite Applications Catapult

Online participation

Mr. Alastair Lees, Head of Supply Chain Transformation

Smart Youth Network Initiative

Online participation

Mr. Daniel Nsubuga, Climate change Activist

Mr. Emmanuel Agaba, Monitoring and Evaluation Officer

Mr. Hamuzah Kasujja, Community mobilizer plastic waste project

Mr. John Mbogo, Policy and Political Coordinator

Sociedad Peruana de Derecho Ambiental (SPDA)

Online participation

Ms. Isabel Calle, Executive Director

Sustainable Development Policy Institute

Mr. Hassan Murtaza Syed, Research Coordinator

Sustainable Energy and Enterprise Development for Communities (SEED4Com)

Online participation

Mr. Clarence Gio Almoite, Project Coordinator and Community Organizer

Sustainable Environment Food and Agriculture Initiative (SEFAAI)

Online participation

Mr. Abiodun Aderibigbe, Director of Research and Business Development

Mr. Sunday Odueke, Head of Logistics Planning

Te Ipukarea Society

Online participation

Mr. Kelvin Passfield, Technical Advisor

The Royal Society of Chemistry (RSC)

Online participation

Mr. Daniel Stephan Korbel, Science Policy Unit Lead

Ms. Isabel Monk, Policy Advisor, Environment

Union des Amis Socio Culturels d'Action en Développement (UNASCAD)

Online participation

Mr. Severe Joseph, Executive Director

United Cities and Local Governments

Online participation

M. Jean-Baptiste Buffet, Head of Global Policy and Advocacy

Universal Versatile Society Nagathana, Ta./ Dist.:Washim

Online participation

Mr. Narayan Solanke, President

Wildlife Conservation Society

Online participation

Mr. Liwei Chen, Senior Advisor

Ms. 藹黎康, Director, China Global Investment and Impact Program

Women Engage for a Common Future (WECF)

Online participation

Ms. Carmen Cristina Capriles Flores, Associate and Expert on Environmental and Climate Change Policies

World Resources Forum (WRF)

Mr. Bruno Oberle, President

Ms. Robin Gilli, Project Manager

Ms. Shahrzad Manoochehri, Program Director

Mr. Xaver Edelmann, Vice-President of the Board

Ms. Zenzi Awases, Association of Women in Mining in Africa

Online participation

Ms. Eshwari Sanjay Bhagat, Project Associate

World Wide Fund for Nature International

Ms. Jessica Lindstrom Battle, Lead No Deep Seabed Mining Conservation Division

Youth Loves Egypt

Online participation

Mr. Ahmed Fathy, CEO

Mr. Mohamed Mohsen, Head of communication department

Zoï environment network

Online participation

Mr. Otto Simonett, Director

