



EUROPEAN UNION

**Annual Subcommittee meeting of the Committee of Permanent Representatives to UNEP
(Nairobi, 7-11 October 2019)**

Agenda item 4. Implementation of decision UNEP/EA.4/2 pp. 9-13 (CPR based review)

Comments by the European Union and its Member States

General comments:

- EU/MS welcome UNEP's approach in the document to provide options based on MS comments and UNEA lessons learnt paper for further consideration during the review process.
- EU/MS also appreciate UNEP's effort to collect practices from other governing bodies (in annex), which provide some useful ideas for future consideration, in particular for the preparation and negotiation of resolutions.

Organization and preparation of UNEA

- With regards to options presented in the input paper by UNEP, EU/MS are in favour of continuing the practice of back-to-back meetings with the preparatory segment (current OECPR).
- The UNEA theme should guide the thematic discussions during the High Level Segment of UNEA and the Ministerial Declaration, as well as side events and other related events, including the Science – Business Forum, while better preparation and strengthening/clarifying the link with the POW/B should contribute to limiting the number and increasing the relevance of resolutions.
- EU/MS support rationalising the number of side events and other events to enable the participation of small delegations.
- It is important to ensure that UNEA dates do not overlap with other major conferences/meetings, to facilitate that PRs located outside Nairobi, including in Geneva, can participate.

- EU/MS support the suggestion to find ways to engage MEAs and their governing bodies in UNEA, although the concrete suggestions merit further consideration and consultations, including with MEA chairs and governing bodies.
- EU/MS encourage to explore opportunities to create more interactive dialogues between ministers, scientists, business and civil society.
- EU/MS acknowledge the potential of the Science-Policy-Business Forum to contribute to UNEA. We do therefore see merit in considering the timing and the set-up of this Forum, so that its key messages – assuming the themes were to be aligned - can feed into the HLS discussions. We would suggest there is an initial session focusing on key scientific findings that the business community would have a key role in addressing, to set the stage. We are also open to consider somehow combining or linking the Science Policy Business Forum with the Sustainable Innovation Expo. However, we do not agree that it will strengthen the science-policy interface, but will be rather a different use of the science policy interface.
- Aligning the timing of environmental assessments and briefings with UNEA, so that their recommendations can be considered in due time for MS to take into account in their resolutions, as well as improved coordination between the relevant scientific bodies should be considered. However, this seems beyond the scope of the review, but rather something the Secretariat could just do.
- The Secretariat should make use of its scientific bodies, when asked to review/make recommendations on resolution proposals.

CPR meetings (OECPR and ASC)

- EU/MS are in favour of continuing to treat the OECPR as the preparatory segment of UNEA, and looking into the possibility of this being reflected in the name if that can be done without a lengthy discussion on a change in the status of the OECPR and/or respective RoP.
- The ASC core function is to take stock in providing oversight on the implementation of the POW/B. We could also envisage that the ASC would – in even years – provide a limited, substantial slot towards the end of the meeting, to identify, from the lessons learnt on implementation, recommendations by the Secretariat and ideas from the Members on possible areas/topics for resolutions.
- However, we believe the key oversight function is to be provided by the CPR in its regular and subcommittee meetings. Consideration of the reports of JIU, OIOS and ACABQ might merit better discussion/reflection in those bodies, although it could be considered to ensure that the main recommendations are included in the agenda of the ASC.
- We agree that the roles of the CPR vis a vis subcommittee meetings and Secretariat Briefings should be clarified and that the calendar of meetings should be better aligned with the milestones of the implementation of relevant workstreams/roadmaps.
- EU/MS in particular support that the formulation of decisions by CPR can be improved, as well as reinforcing the practice of having documentation well in advance and that these documents provide clear recommendations on what MS may wish to consider to agree.

CPR and UNEA bureaus

- EU/MS find it important that the respective roles and expectations of the two bureaus are clarified. A finalization of ToRs would be helpful.

- The bureaux members' links and consultations with their regional groups could be strengthened, in the understanding that not all groups coordinate politically their regional positions and therefore this cannot automatically be expected as part of the bureaux' working methods.
- The UNEA bureau members, however, play an important role as representatives of UNEA in different events and meetings and therefore they should be encouraged to convey UNEA's key messages in different fora, including the High Level Political Forum.
- EU/MS are not in favour of merging the two bureaux, but do see merit in strengthening/consolidating the consultations between the bureaux members, in particular the participation of the UNEA president and the CPR chair to the respective meetings of the other bureaux.

Resolutions and decisions

- EU/MS have doubts about the added value of Omnibus resolutions. In addition, one should consider what would be the relationship between one or more Omnibus resolutions on a specific theme and the Ministerial Outcome Document (also focusing on the theme). We are however ready for further discussions on this.
- EU/MS don't see the need to set criteria for accepting resolutions but would be in favour of guidelines that would ask MS to exercise "self-discipline" in keeping agreed deadlines for submitting resolutions and resolution proposals, as well as other possible guidance e.g. regarding complementarity to POW/B, etc. We would welcome guidance by UNEP secretariat as to the extent this would be possible in line with the Rules of Procedure of UNEA.
- We welcome the Secretariat's offer to prepare opinions on draft resolutions from a legal and financial perspective, including on the added value as compared with POW and how it aligns with the POW, a practice that started at UNEA4 and could be further developed for coming UNEAs. It is important that resolutions are aligned with and add value to the POW.
- EU/MS would welcome suggestions how to make the negotiation process more efficient and politically relevant, including learning best practices from other fora, e.g. with regards to the role of the secretariat or facilitator as "penholder" during the negotiations as well as consideration of involvement of Ministers on selected issues.
- EU/MS welcome the idea of the Secretariat preparing a comprehensive guidance manual for MS on resolution preparation, negotiation and follow-up as well a manual for co-facilitators that will result in resolutions that are scientifically sound, provide a clear link or added value to the POW/B, and facilitate monitoring of its implementation.
- EU/MS welcome a closer dialogue between MEAs and the UNEP governing bodies, as well as MEAs engagement in the preparation and implementation of resolutions. We stress the need to develop a monitoring tool to enable MS to have an oversight of the implementation of adopted resolutions, decisions and declarations.
- It might be also useful to consider some guiding principles for the Ministerial Outcome Document, including both the process and content.
