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EMBASSY OF THE REPUBLIC OF SOUTH SUDAN
NAIROBI - KENYA

Note No. RSS/EK/(45-1)2020

NOTE VERBAL

The Embassy of the Republic of South Sudan presents its capacity as Interim Dean of the African Diplomatic Corps presents its compliments to the UNEP Secretariat in Nairobi and has the honour to forward the attached draft response of the African Diplomatic Corps to a questionnaire on the implementation of the General Assembly Resolution 73/333 entitled "Follow up to the report of the ad hoc open ended working group established pursuant to General Assembly resolution 72/277."

The Embassy of the Republic of South Sudan in its capacity as the Office of the Interim Dean of the African Diplomatic Corps avails itself of this opportunity to renew to the UNEP Secretariat in Nairobi the assurances of its highest consideration.

Nairobi: 28th January, 2020

**UNEP Secretariat,
Nairobi.**



QUESTIONNAIRE

Based upon the input received, the following guiding questions are set out below.

I. Guiding questions concerning the preparatory process

1. The outcome reads: "Forward these recommendations to UNEA for its consideration".

- a. *Under which agenda item should UNEA 5 consider these recommendations?*
- b. *One option being under the inclusion in the already established item 5 of the provisional agenda entitled "International environmental policy and governance issues" or by recommending the establishment of a new item?*

The African Group strongly suggest that these recommendations shall be considered under Agenda item 11 of the fifth UNEA

2. The outcome mandates: "to prepare, at its fifth session (...) a political declaration (...):

- a. *What level of detail should a text have in order to be considered by UNEA 5?*
The African Group considers that at this stage the level of detail is not relevant since the draft text of the political declaration should be forwarded to the General Assembly through a procedural decision at UNEA 5, according to the mandate established in the UNGA's Resolution 73/333.

- b. *When should the "preparation of a political declaration" begin and what should be the recommended format, leadership and timeline of the preparatory process before UNEA 5?*

The African Group believes that the process needs to begin several months before UNEA 5, preferably in conjunction with the beginning of the drafting process for UNEA 5 resolutions. The Group also believes that a broader participation is necessary for the legitimacy of the process.

Further, the Group thinks that the process needs to be inclusive, transparent and CPR-based. A proposed format could be the election of two facilitators by the CPR (one PR from a developed country, the other from a developing one) who would initiate consultations with Member States, following it up with a series of drafting meetings that open for participation by all Member States. Facilitators should report to the CPR regular meetings on the progress achieved in the process in a timely manner.

- c. *How can accredited stakeholders be involved, and member States without representation in Nairobi participate, in the process?*

Four levels could be used:

Firstly, the secretariat must at every step of the negotiation share the outcome documents with the Permanent Representations to New York of countries which are not represented in Nairobi in the view to seek their observations and comments. Secondly, the Secretariat should provide the option of joining the meetings through video conferences during consultation held in Nairobi.

Thirdly, accredited stakeholders could be invited to take part to final negotiations before the submission of the final draft to UNEA during the OECPR to be held back to back with UNEAS.

Finally, the draft text will be forwarded to the General Assembly in New York for further consideration, which guarantees a more inclusive process given the strong representation from all Member States in the second committee.

II. Guiding questions related to the a “United Nations high-level meeting [...] in the context of the context of the commemoration of the creation of UNEP

3. The outcome speaks about “a United Nations high-level meeting, subject to voluntary funding, in the context of the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment (...)”.

a. *What is meant by “a United Nations high-level meeting, subject to voluntary funding, in the context of the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment”?*

b. *Who is expected to convene the UN high-level meeting? What should its format be?*

The African group considers a “United Nations high-level meeting” to be a meeting bringing together high level officials of the United Nations and member states. This meeting should be funded from voluntary contributions of member states.

The African group believes that preparation for the high level meeting, including its venue and format should be conducted in a transparent and inclusive way, bearing in mind the importance of implementing paragraph 88 of the outcome document of the Rio + 20 Conference “the future we want”.

III. Guiding questions regarding the content of the political declaration and the support by the UNEP Secretariat

4. The outcome also signals that the objective of the political declaration is “with a view to strengthening the implementation of international environmental law and international environmental governance, in line with paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”.

a. *what ‘elements’ or ‘building blocks’ in the objectives guiding the recommendations and in the substantive recommendations contained in the Annex to Resolution 73/333 could be identified for inclusion in the political declaration to achieve the overall objective of “strengthening the implementation of international environmental law and international environmental governance, in line with paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development”?*

b. *How should the political declaration relate to the five objectives guiding the recommendations and to the thirteen substantive recommendations of the ad-hoc open-ended working group established pursuant to UN General Assembly resolution 72/277 and endorsed in UN General Assembly resolution 73/333?*