

Third consultation meeting on the CPR based review (Nairobi, 27 February 2020)

Commenting by the European Union and its Member States

1. Implementation of decision UNEP/EA.4/2 entitled “Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly” subparagraphs 10 c) “Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions”

Comments by the European Union and its Member States

The EU and its MS would welcome guidelines that would ask MS to exercise “self-discipline” in keeping to agreed deadlines for submitting resolutions and resolution proposals, as well as other possible guidance e.g. regarding added value to global environmental agenda, complementarity to POW/B, co-sponsorship etc. The key criteria and focus for draft resolutions should be clearly communicated to MS by the UNEA Bureau in good time before the next UNEA.

We appreciate the suggestion that the UNEA Bureau, in collaboration with the Secretariat, could be entrusted with presenting omnibus resolutions, based on the input by MS, however this proposal merits further consideration

We encourage the continuation of the Secretariat’s practice that started at UNEA4 to provide 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. This practice could be further developed for coming UNEAs to also engage MEA secretariats. It is also important that resolutions are aligned with the PoW and add value to it. When considering the issue of improving coordination between MEAs and UNEA, not just the PoW but also the overall body of UNEA resolutions as well as the decisions and PoW of MEAs should be taken into account in order to draw attention to potential duplication.

The EU and its MS thank UNEP for reaching out to other governing bodies and compiling insights on existing practices in other fora. We would appreciate if the compilation of answers included an active analysis/review of what functions as well as a more systematic and complete presentation of the feedback by the Secretariats (e.g. some answers, reference, existing rules or guidelines without describing the actual content or indicating which body they relate to). We would also encourage the Secretariat to reach out additionally to UNFCCC, CBD, BRS as the largest fora.

The EU and its MS would welcome if the Secretariat prepared a comprehensive guidance manual for MS on resolution preparation, negotiation and follow-up as well as a manual for co-facilitators that will result in resolutions that are providing overarching policy guidance and addressing emerging environmental challenges, are scientifically sound, provide a clear link or added value to the PoW/B, and facilitate monitoring of its implementation.

We support a closer dialogue between MEAs and the UNEP governing bodies, as well as MEA engagement in the preparation and implementation of resolutions, as the UNEA outcomes should give overarching policy guidance to MEAs. Moreover, we stress the need to develop a monitoring tool to enable MS to have oversight of implementation of adopted resolutions, decisions and declarations.

It might also be useful to consider some guiding principles for the Ministerial Outcome Document, including both the process and content.

Proposals for resolutions on issues, which have already been subject of resolutions in past UNEAs, should undergo a “novelty/added value and PoW/B feasibility” test before being formally tabled, leaving room for a continuously high political priority for certain issues and the necessity to therefore table multiple resolutions. Implementation of past resolutions on these issues and the potential existing work under MEAs should also be scrutinized before accepting new commitments to be tabled.
