

## **UNEP Secretariat Guidelines for the Co-Facilitators of draft resolutions and decisions for the resumed 5<sup>th</sup> session of the United Nations Environment Assembly**

Co-Facilitators are supported in their preparations as well as their daily work by the Governance Affairs Office, the Division covering the substance of the topic of a draft resolution/decision and the Law Division. Co-Facilitators should report on a regular basis to Ambassador Erasmo R. Martínez, Vice-Chair of the CPR Bureau and Permanent Representative of Mexico, as coordinator for the negotiating processes of draft decisions and draft resolutions to be submitted for the consideration of the Assembly at its resumed fifth session, on progress with respect to their work. The Vice-Chair will then report on the progress to the CPR Chair and Bureau and each cluster's co-facilitators will report, accordingly, at CPR meetings. In this regard, the Co-Facilitators of each Cluster are expected to brief the membership on the progress of the draft resolutions, highlight outstanding questions, points of difference as well as convergence, and the merging of text.

The responsibilities of the Co-Facilitators will continue until the beginning of the Open-Ended Committee of Permanent Representatives (OECPR) at which time the OECPR will decide on the modalities for the further negotiation of draft resolutions and decisions on which agreement is yet to be reached. At that stage the respective roles of the Co-Facilitators will be reviewed and continuation of these needs to be confirmed by the OECPR.

After their appointment, each cluster may define its approach and the Co-Facilitators may take the following steps:

- Bilateral informal meetings with the proponents of draft resolutions/decisions and interested delegations and representatives from regional and political groups;
- Informal consultations;
- Informal informals.

### ***Bilateral meetings***

At the very outset, the Co-Facilitators may wish to reach out to the proponents of draft resolutions/decisions, political and regional groups and other interested delegations in order to gain a better understanding of their positions. Such meetings are entirely within the discretion of the Co-Facilitators. Co-Facilitators can also conduct such consultations online.

### ***Informal consultations***

Informal consultations are supported by the Secretariat. The Co-Facilitators will inform the Secretariat of the dates for the convening of informal consultations, so that the entire membership can be informed and participate, if they so wish. At the informal consultations Co-Facilitators listen to delegations' views on the draft resolutions/decisions and can, at the request of the membership, engage in actual text-based negotiations, which is to say paragraph-by-paragraph or line-by-line negotiations of a draft resolution/decision. To that end, the Secretariat will make available screen editors so that textual proposals can be made to the draft resolution or decision on the screen in the conference room. This also ensures the transparency of the process.

Following each of their meetings, Co-Facilitators may prepare a revised version of a draft resolution/decision that can then form the basis for further informal consultations. Revised drafts will be able available on the Papersmart Portal. In addition, the Secretariat has for the information of delegations prepared technical notes on draft resolutions/decisions that includes information on how the drafts relate to UNEP's medium term strategy and programme of work and also highlights legal considerations applicable to the draft resolution/decision.

All draft resolutions/decisions as well as all related information including technical notes are accessible on the UNEP Papersmart Portal through the following link: <https://apps1.unep.org/resolution/>.

The portal captures all relevant information related to the draft resolutions, including all versions of the drafts themselves, dates of submission, relevant contact information, concept notes, secretariat technical notes and other background information. To access these documents, eligible representatives from Member States, Major Groups and Stakeholders and United Nations Organizations are required to create a profile using a dedicated login form which will be assessed and approved by the secretariat.

### ***Informal informal meetings***

Informal informals consultations allow the Co-Facilitators to sit with the membership in a very informal and relaxed setting, often in smaller rooms and round a conference room table in order to discuss text and to move the discussion of a draft resolution or decision forward. Importantly, should delegates wish to do so, they should be able to join online.

### **Secretariat Support**

Throughout their mandate, Co-Facilitators can rely on technical, procedural and substantive support from the Secretariat. Co-Facilitators are encouraged to make use of this support that includes the following:

- Advice on the conduct and the facilitation of the meeting, based on best practice and past precedent;
- Screen editing and editorial review of draft resolutions and decisions. The Secretariat through its screen editors will keep track of the textual proposals to the drafts.
- Provision of conference support staff in order to ensure that online connections function, that includes also the booking of rooms and announcement of meetings.
- Support from the relevant/appropriate Division providing support on the substance of the draft resolution.

- Legal support, including on whether the draft resolutions or decisions relate to mandates of the United Nations or Multilateral Environment Agreements.

### **Hybrid nature of the consultations**

Consultations will be conducted in hybrid format with delegates joining in-person and online. It is important that consultations occur in an open, inclusive and transparent manner and that participants online and those participating in-person be treated on an equal basis. Representatives from Member and Observer States should be given the floor to make interventions in the order in which they signify their desire to speak, with a preference being given to regional and political groups. In the unlikely event that the online connection fails or ends prematurely, the meeting has to be suspended until the online connection is restored. It is also important that any screen editing is visible to those participants joining on-line.

### **Participation of Observer and non-Member States**

Observer and non-Member States, i.e. Cook Islands, Holy See, Niue and State of Palestine can participate in the informal consultations and also make textual proposals.

### **Participation of international organizations**

International organizations including multilateral environment agreements (MEAs) can provide technical advice on the wording of the resolutions, as well as information on their work, to the extent that it is relevant for the discussion of a draft resolution. They can also be invited to make general statements. The UNEP Secretariat is also in contact with the Secretariats of MEAs.

### **Participation of civil society**

Civil society do not make textual proposals but can listen to the proceedings and may, at the discretion of the Co-Facilitators, make general statements at the end of the meeting. Should a civil society representative wish to make a textual proposal, the representative should be encouraged to do so through a Member State.

### **Merging of draft resolutions**

Should two or more draft resolutions or decisions relate to the same subject, then the Co-Facilitators with the consent of those participating in the discussions may with the technical support of the Secretariat seek to merge the drafts into a single text, at which time it becomes a Co-Facilitators text. The merged text should be presented to the discussion as soon as possible by the Co-Facilitators.

### **Withdrawal of draft resolutions**

The Sponsor of a draft resolution/decision may at any time withdraw its proposal unless another Member States wishes to assume responsibility for that same proposal, usually in amended form.

### **Applicability of the rules of procedure of the United Nations Environment Assembly**

As this is an informal process, the rules of procedure do not apply to the consultations on the draft resolutions. However, the rules can serve as a guide to the Co-Facilitators.

### **Outcomes**

Once consensus has been reached on a draft resolution or decision, the Co-Facilitators should submit the agreed outcome to the Chair and Bureau of the Committee of Permanent Representatives who will submit it to the Secretariat for issuance as a document of the Open-Ended Committee of Permanent Representatives. Should consensus not be reached then the document can be issued with bracketed text.

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