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**United Nations Environment
Assembly of the United Nations
Environment Programme**

**146th meeting of the Committee of Permanent Representatives
to the United Nations Environment Programme**

Nairobi, 20 June 2019

10:00 a.m. to 1:00 p.m.; 2:30 p.m. to 5:00 p.m.

Conference Room 1

**Agenda Item 7c): Follow-up of the fourth session of the UN Environment Assembly -
Implementation of decision UNEP/EA.4/2**

The annexed note, entitled “Implementation of decision UNEP/EA.4/2 - Provisional agenda, date and venue of the fifth session of the UN Environment Assembly”, is developed in preparation for the “Process for review by the Committee of Permanent Representatives”, which is aimed at improving the efficiency and effectiveness of the UNEP governing bodies, as mandated by decision UNEP/EA.4/2, paragraphs 9-13.

It provides a preliminary “mapping exercise” in line with paragraph 11 of the decision.

Member States and stakeholders are invited to provide inputs on the basis of questions listed under **Section 3** of the document through a dedicated portal (weblink to be shared at a later stage) by 19 July 2019 (see also Section 4 “Next Steps”).

In support of this process, the note includes three annexes:

- 1. Decision 4/2 - Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly*
- 2. Timing and duration of the meetings of the UNEP governing bodies*
- 3. Legislative mandates for UNEA and CPR*

On the basis of the inputs to be received from Member States and an additional Secretariat analysis of relevant practices from a limited number of other relevant governing bodies, the Secretariat will finalise the mapping exercise, as a basis for a more analytical “input paper” that the Executive Director is requested to provide at least 3 weeks ahead of the 6th annual subcommittee meeting.

Implementation of decision UNEP/EA.4/2 – Provisional agenda, date and venue of the fifth session of the UN Environment Assembly

I. INTRODUCTION

This note spells out how the secretariat intends to support the implementation of decision UNEP/EA.4/2, particularly the “Process for review by the Committee of Permanent Representatives” (paragraphs 9-13) aimed at improving the efficiency and effectiveness of the UNEP governing bodies, namely the UN Environment Assembly (UNEA) and its subsidiary intersessional body, the Committee of Permanent Representatives (CPR). The note, intended as a preliminary “mapping exercise” in line with paragraph 11¹ of decision 4/2, is structured along each of the subparagraphs of paragraph 10 which outlines the scope of the review process:

- (a) The preparation, working arrangements, and scheduling of sessions of the Environment Assembly and the objectives, preparation, working arrangements and the scheduling of meetings of its subsidiary body, namely the meeting of the Open-ended CPR and the regular and annual meetings of the subcommittee of the CPR;
- (b) The respective roles and responsibilities of the Bureau of the Environment Assembly and of the Bureau of the CPR, including those related to interactions with their respective constituencies;
- (c) Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions;
- (d) Monitoring and reporting on the implementation of the programme of work and budget and of the resolutions of the Environment Assembly;

The current mapping exercise draws from a review of relevant UNEA rules of procedure, UNEA resolutions and Governing Council decisions and takes into account existing current standard practices applied for the UNEP governing bodies. The goal of this initial mapping exercise is to enable member States and stakeholders to understand the current situation, to facilitate submission of “written inputs” in line with paragraph 12² of decision 4/2. The secretariat will continue to develop this mapping exercise by further elaborating on the customary practices and identifying lessons that could be learned from the governing bodies of other selected international organizations. The outcomes of this additional mapping exercise will be combined with the “written inputs” mentioned above from member States and stakeholders, to constitute an “input paper on the topics specified in paragraph 10” that the secretariat is requested to provide at least 3 weeks ahead of the 6th annual subcommittee (tentatively scheduled for 7-11 October 2019) in line with paragraph 11.

At the same time as this “input paper” is to be provided by the secretariat, the CPR Chair is requested “in close consultation with the President of the Environment Assembly, to present to the CPR for its deliberation and decision at the 6th annual subcommittee meeting a **consolidated proposal outlining a consensual process for review by the CPR** of the UNEA and its subsidiary bodies, with a view to providing concrete proposals for the improvement of their efficiency and effectiveness, for consideration by the UNEA at its 5th session” (paragraph 9).

¹ 11. *Requests* the Executive Director to conduct a mapping exercise and provide an input paper on the topics specified in paragraph 10 of the present decision at least three weeks ahead of the sixth annual subcommittee meeting;

² 12. *Decides* that the review process will be open, inclusive and transparent and provide the opportunity for the submission of written input by member States and stakeholders throughout the duration of the process, and also decides that it will be co-chaired by two members of the CPR, one from a developing country and one from a developed country;

It is also envisaged that this CPR review process will inform other streams of work mandated by decision 4/2, namely, preparing for the commemoration of the creation of UNEP by the UN Conference on the Human Environment in 1972 (paragraph 8)³ and development of an action plan for the full implementation of paragraph 88 of the outcome document of the UN Conference on Sustainable Development, “The future we want” (paragraph 14).⁴

The recently concluded open-ended working group – established pursuant to General Assembly resolution 72/277 “Towards a Global Pact for the Environment” – captured the interlinkages between these various processes when it recommended the UNEA, through the General Assembly, to consider and prepare at its 5th session in February 2021, a political declaration for a UN high-level meeting in the context of the commemoration of the creation of UNEP, “with a view to strengthening the implementation of international environmental law, and international environmental governance in line with paragraph 88 of “The future we want””.⁵

The secretariat will present separate specific background documentation for the preparation of the commemoration of and the implementation of paragraph 88 in due course for consideration by member States and stakeholders.

Annex 1 outlines Decision 4/2 in full.

II. STRUCTURE AND PURPOSE OF THE CURRENT MAPPING EXERCISE

The current mapping exercise is structured along each of the 4 subparagraphs of paragraph 10 of UNEA decision 4, identifying key questions for further consideration, followed by a presentation of related facts and current practices applied for the UNEP governing bodies (mostly presented in annexes). These questions are intended to facilitate the submission of “written inputs” from member States and stakeholders, as an essential component of the secretariat’s “input paper” to be provided at least 3 weeks ahead of the 6th annual subcommittee meeting. It is proposed that the “input paper” consists of the following sections:

1. Synthesis of inputs by member States and stakeholders – this section summarizes written inputs (i.e. suggestions for improvement) received from member States and stakeholders on the basis of the present mapping exercise.
2. Practices in other intergovernmental governing bodies – this section highlights selected good practices from other intergovernmental governing bodies that may provide insights for the CPR-based review.
3. An overview of existing legislative mandates and current practice at the UNEP governing bodies – to be presented as an annex to the input paper that will be based on the present mapping exercise.

³ 8. *Also requests* the Executive Director to prepare, in consultation with member States, the commemoration of the creation of the UN Environment Programme by the UN Conference on the Human Environment held in Stockholm from 5 to 16 June 1972, making use of contributions from relevant stakeholders;

⁴ 14. *Requests* the Executive Director to submit an action plan for the implementation of subparagraphs (a)–(h) of paragraph 88 of the outcome document of the UN Conference on Sustainable Development, to be submitted for consideration by the UNEA at its 5th session, and invites the Director-General of the UN Office at Nairobi to contribute to the development of the plan in respect of the implementation of subparagraph (g) concerning the headquarters functions of the UNEP in Nairobi.

⁵ Recommendations agreed in Nairobi on 22 May 2019.

It is expected that the secretariat’s input paper will contribute to member States’ efforts to identify concrete options for improving the effectiveness and efficiency of the UNEP governing bodies, which can be considered at the 7th annual subcommittee meeting (tentatively scheduled for October 2020), in line with paragraph 13: “*Requests* the Chair of the CPR to hold a stock-taking meeting, not exceeding 2 days in duration, under the framework of the 7th annual subcommittee meeting, with the goal of considering the endorsement of the progress achieved at that time”.

As the review process moves forward, it is important to recall the parameters for the review process as specified in paragraph 12: “*Decides* that the review process will be open, inclusive and transparent and provide the opportunity for the submission of written input by member States and stakeholders throughout the duration of the process, and also decides that it will be co-chaired by 2 members of the CPR, one from a developing country and one from a developed country”.

Upon the election of the new Bureau of the CPR at its 146th meeting on 20 June 2019, the secretariat will reach out to the CPR Chair to ensure timely development of a consolidated proposal for the CPR-based review process that includes appointment/election of the co-chairs.

Box 1: Chronological mandate for the CPR review process

| | | |
|-------------------------|--|--|
| 16 September 2019 | 3 weeks before the 6 th annual subcommittee meeting of the CPR | 11. <i>Requests</i> the Executive Director to conduct a mapping exercise and provide an input paper on the topics specified in paragraph 10 of the present decision <u>at least 3 weeks ahead of the 6th annual subcommittee meeting</u> ; |
| 7-11 October 2019 (tbc) | 6 th annual subcommittee meeting | 9. <i>Requests</i> the Chair of the CPR, in close consultation with the President of the Environment Assembly, to present to the CPR for its deliberation and decision at the <u>6th annual subcommittee meeting</u> a consolidated proposal outlining a consensual process for review by the CPR of the UNEA and its subsidiary bodies. |
| October 2020 | Stocktaking meeting during the 7 th annual subcommittee meeting | 13. <i>Requests</i> the Chair of the CPR to hold a stock-taking meeting , not exceeding 2 days in duration, <u>under the framework of the 7th annual subcommittee meeting</u> , with the goal of considering the endorsement of the progress achieved at that time; |
| 22-26 February 2021 | 5 th session of UNEA | 9. [text continued from above] ... with a view to providing concrete proposals for the improvement of their efficiency and effectiveness , for consideration by <u>UNEA at its 5th session</u> ; |

III. GUIDING QUESTIONS AND FACTS REFERING EACH SUBPARAGRAPH

Operative Paragraph 10: *Decides* that the scope of the consideration during the review process will be:

(a) The preparation, working arrangements, and scheduling of sessions of the Environment Assembly and the objectives, preparation, working arrangements and the scheduling of meetings of its subsidiary body, namely the meeting of the Open-ended Committee of Permanent Representatives and the regular and annual meetings of the subcommittee of the Committee of Permanent Representatives;

Guiding questions for subparagraph 10 (a):

1. *How can UNEA and its working arrangements be leveraged to further enhance its ability to take strategic decisions and provide political guidance?*
2. *What steps can be taken to meaningfully enhance stakeholder engagement, including from the scientific community, at UNEA?*
3. *Are the designations of the subsidiary intersessional bodies – i.e. OECPR and the annual subcommittee – adequately reflecting their roles and functions?*
4. *Should the respective roles of the OECPR and the annual subcommittee be further clarified and reinforced? If so, how?*
5. *Are the timing and duration of the meetings of the different UNEP governing bodies optimal, or should they be reconsidered, including with respect to facilitating meaningful stakeholder participation? If so, how?*

For an overview of the current structure of the UN Environment Programme governing bodies, see Figure 1.

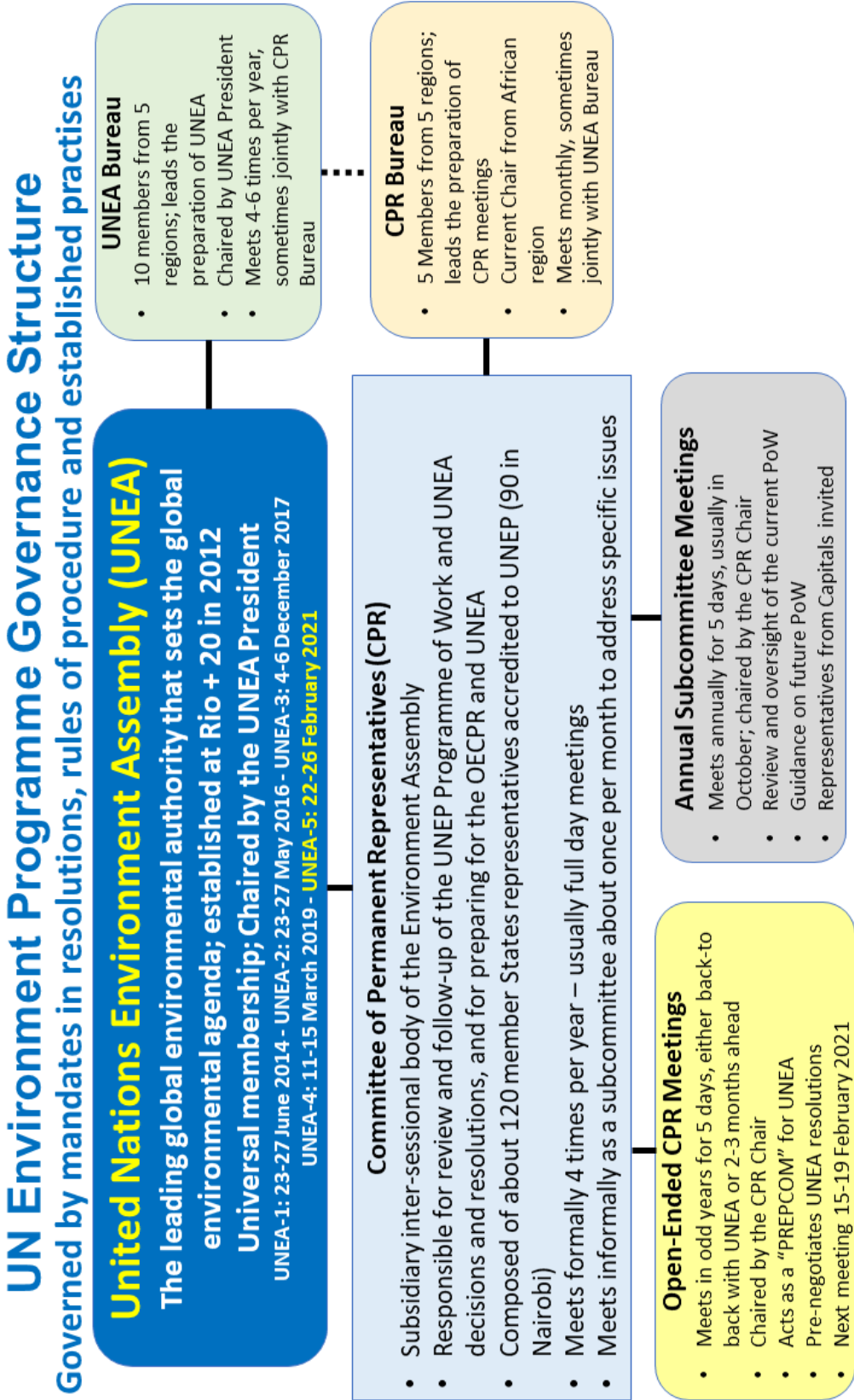
(b) The respective roles and responsibilities of the Bureau of the Environment Assembly and of the Bureau of the Committee of Permanent Representatives, including those related to interactions with their respective constituencies;

Guiding questions for subparagraph 10 (b):

1. *Should the respective roles and responsibilities of the CPR and UNEA Bureaux and their Chairs be more distinguished and clarified, including with regard to representation of regional constituencies?*
2. *Should the two Bureaux further strengthen their working relationship? If so, how?*
3. *How can individual Bureau members contribute to enhancing the visibility of UNEA as the leading global environmental authority in other international fora?*

Box 2 describes the current composition, election process and mandates of the current bureaux.

Figure 1: Overview of the current governance structure of UN Environment Programme



Box 2: UNEA and CPR Bureaux

| | UNEA | CPR |
|------------------|---|---|
| Current officers | <p>10 members, 2 from each region</p> <ul style="list-style-type: none"> • <u>1 President</u>: Norway • <u>8 Vice Presidents</u>: Bahrain, Burkina Faso, Costa Rica, Estonia, France, Indonesia, Serbia and Suriname • <u>1 Rapporteur</u>: South Africa | <p>5 members, 1 from each region</p> <ul style="list-style-type: none"> • <u>1 Chair</u>: Ghana • <u>4 Vice Chairs</u>: Colombia, Republic of Korea, United States • <u>1 Rapporteur</u>: Poland |
| Election | Elected at the end of each regular session of UNEA, on a regionally rotational basis | Elected every two years, normally at the regular quarterly meeting of the CPR taking place in June, on a regionally rotational basis |
| Mandate | <p><u>Rule 18</u></p> <p>1. ...The Bureau shall assist the President in the general conduct of business of UNEA.</p> <p><u>Governing Council decision 27/2</u></p> <p>Decides that the Bureau of the governing body of UNEP shall be composed of 10 members to reflect the universality of the governing body, in accordance with equitable geographical distribution, and will assist the governing body and perform the functions as set out in the rules of procedure of the governing body (paragraph 6).</p> | <p>No decisions or resolutions have been adopted that deal specifically with the functions of the CPR Bureau.</p> <p>The only relevant decision – Governing Council decision 19/32 “Governance of UNEP” adopted in 1997 – reads only as follows:</p> <p>That the CPR shall elect a Bureau composed of a Chairperson, three Vice-Chairpersons and a Rapporteur, for a period of two years, taking into account the principles of rotation and equitable geographical representation (paragraph 8).</p> |
| | <p><u>UNEA decision 4/2</u></p> <p>2. <i>Decides also</i> that, in accordance with paragraph 10 of Governing Council decision 27/2 of 22 February 2013 and paragraph 2 of its resolution 2/22 of 27 May 2016, the 5th meeting of the Open-ended CPR will take place from 15 to 19 February 2021, without prejudice to decisions on further meetings of the Open-ended CPR, and requests the CPR to discuss, in consultation with the Bureau of the UNEA, and decide, on the format and agenda of the meeting;</p> <p>4. <i>Requests</i> the CPR, in consultation with the Bureau of the UNEA, to contribute to the preparation of the annotations to the provisional agenda set out in paragraph 3 above;</p> <p>5. <i>Requests</i> the Bureau of the UNEA, in consultation with the CPR, to define a theme for the Environment Assembly no later than 31 December 2019;</p> | |

(c) Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions

Guiding questions for paragraph 10 (c):

1. *What should be the key criteria and focus for draft UNEA resolutions and decisions, and how should they relate to the theme of the Assembly?*
2. *How to better ensure that informal deadlines for submitting draft resolutions are respected?*
3. *How to ensure that resolutions and decisions are complementary and not duplicative to the UNEP programme of work and budget?*
4. *How can the secretariat better support the chairs of the working groups that negotiate resolutions including through possible submission of proposals for suggested action?*

In addition to a ministerial declaration, resolutions and decisions constitute key outcomes of UNEA sessions. According to the official UN Library website, “Resolutions are formal expressions of the opinion or will of UN organs”, while “Decisions are another type of formal action taken by UN bodies. Decisions often concern procedural matters such as elections, appointments, time and place of future sessions. They are sometimes also used to record the adoption of a text representing the consensus of the members of a given organ”⁶.

Prior to the first session of UNEA, held in June 2014, which introduced the General Assembly practice of adopting resolutions and decisions, the Governing Council had previously adopted only “decisions” without differentiating substantive versus procedural matters.

The only relevant rule in the UNEA rules of procedure on submitting proposals is contained in Box 3:

Box 3: Rule on submitting draft resolutions and decisions

Rule 44: Proposals and amendments shall normally be introduced in writing and submitted to the Executive Director, who shall circulate copies to the members in all the official languages of the UNEA. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the UNEA unless copies of it have been circulated to all members not later than the day preceding the meeting. Subject to the consent of the UNEA, the President may, however, permit the discussion and consideration of proposals or amendments even though these proposals or amendments have not been circulated or have only been circulated the same day.

Box 4: Number of resolutions and decisions adopted at each session of UNEA

- UNEA-1: 17 resolutions (including a ministerial outcome document) and 2 decisions
- UNEA-2: 25 resolutions
- UNEA-3: Ministerial declaration, 11 resolutions and 3 decisions
- UNEA-4: Ministerial declaration, 23 resolutions and 3 decisions

⁶ <http://research.un.org/en/docs/resolutions>

(d) Monitoring and reporting on the implementation of the programme of work and budget and of the resolutions of the Environment Assembly;

One of the key functions of the CPR is to review the draft and oversee the implementation of the UNEP programme of work and budget. Through its resolution 4/22 “Implementation and follow-up of UNEA resolutions”, UNEA has paved the way for more effective monitoring of the implementation of UNEA resolutions by requesting the Executive Director “to develop a monitoring mechanism, in consultation with the CPR, to track and assess UNEP’s implementation of resolutions in the framework of the programme of work and budget” (paragraph 3). The resolution further requests the Executive Director “to propose to the CPR at its 146th meeting options for an improved framework for reporting on the implementation of UNEA resolutions to be integrated with the reporting on the programme of work and budget” (paragraph 5). It is proposed that the CPR-based review will consider subparagraph 7(d) of UNEA decision 4/2 on the basis of the guidance given by the CPR at its 146th meeting.

IV. NEXT STEPS

Member States and stakeholders are invited to provide inputs under each of the subparagraphs above from UNEA decision 4/2, paragraph 10. To facilitate the collection of inputs, the Secretariat has developed a template built around the guiding questions. Member States are invited to submit their inputs through a dedicated portal (weblink to be shared at a later stage) by 19 July 2019.

The secretariat will then synthesize the inputs received and complement them with an initial analysis of relevant practices from limited number of relevant governing bodies. The “synthesis of inputs” and “practices in other governing bodies”, together with the expanded version of the present mapping exercise, will build the basis for a more analytical “input paper” that the Executive Director is requested to provide at least 3 weeks ahead of the 6th annual subcommittee meeting (paragraph 11).

The secretariat will also work closely with the CPR Chair to provide necessary support in the development of a “consolidated proposal outlining a consensual process for review by the CPR”, which the CPR Chair is expected to present to the CPR for its deliberation and decision at the 6th annual subcommittee meeting (paragraph 9).

Looking beyond the 6th annual subcommittee meeting, these and other supplementary documents will feed into the work led by the two co-chairs throughout the review process and will eventually inform the 2-day stocktaking meeting to be held under the framework of the 7th annual subcommittee meeting. As such, the input paper may be seen as a “living document”, and may also eventually contribute to the background documentation for UNEA 5.

V. ANNEXES

1. Decision 4/2 - Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly
2. Timing and duration of the meetings of the UNEP governing bodies
3. Legislative mandates for UNEA and CPR

ANNEX 1: Decision 4/2. Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly

The United Nations Environment Assembly,

Recalling General Assembly resolutions 2997 (XXVII) of 15 December 1972, 66/288 of 27 July 2012, 67/213 of 21 December 2012, 67/251 of 13 March 2013, 68/215 of 20 December 2013, 69/223 of 19 December 2014, 71/231 of 21 December 2016 and 73/260 of 22 December 2018,

Recalling also General Assembly resolutions 47/202 A (paragraph 17) of 22 December 1992, 54/248 of 23 December 1999, 56/242 of 24 December 2001, 57/283 B (paragraphs 9–11 of section II) of 15 April 2003, 61/236 (paragraph 9 of section II A) of 22 December 2006, 62/225 (paragraph 9 of section II A) of 22 December 2007, 63/248 (paragraph 9 of section II A) of 24 December 2008, 64/230 (paragraph 9 of section II A) of 22 December 2009, 65/245 (paragraph 10 of section II A) of 24 December 2010, 67/237 (paragraph 13 of section II A) of 28 January 2013, 71/262 (paragraph 27 of section II and paragraph 102 of section V) of 23 December 2016, 73/270 (paragraph 29 of section II),

Taking into account Governing Council decisions 27/1 and 27/2 of 22 February 2013, as well as United Nations Environment Assembly resolutions 1/2 of 27 June 2014 and 2/22 of 27 May 2016 and decision 3/2 of December 2017,

Recognizing the importance of the implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development entitled “The future we want”, welcoming progress made, including the establishment of the United Nations Environment Assembly and stressing the importance of continued action,

Emphasizing that improving the effectiveness and efficiency of the existing governing bodies of the United Nations Environment Programme plays an important role in delivering on the environmental dimension of the 2030 Agenda for Sustainable Development,

Deeply concerned about the lack of progress in several areas in the implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development.

Reiterating the commitment made in Environment Assembly resolution 3/11 on the implementation of paragraph 88 (a)–(h) of the outcome document of the United Nations Conference on Sustainable Development,

1. *Decides* to hold the fifth session of the United Nations Environment Assembly at its headquarters in Nairobi from 22 to 26 February 2021, in accordance with paragraph 3 of its decision 3/2 of 6 December 2017;
2. *Decides also* that, in accordance with paragraph 10 of Governing Council decision 27/2 of 22 February 2013 and paragraph 2 of its resolution 2/22 of 27 May 2016, the fifth meeting of the Open-ended Committee of Permanent Representatives will take place from 15 to 19 February 2021, without prejudice to decisions on further meetings of the Open-ended Committee of Permanent Representatives, and requests the Committee of Permanent Representatives to discuss, in consultation with the Bureau of the United Nations Environment Assembly, and decide, on the format and agenda of the meeting;
3. *Approves* the provisional agenda for the fifth session as follows:
 1. Opening of the session.
 2. Adoption of the agenda and organization of work.
 3. Credentials of representatives.
 4. Report of the Committee of Permanent Representatives.
 5. International environmental policy and governance issues.
 6. Programme of work and budget, and other administrative and budgetary issues.
 7. Stakeholder engagement.
 8. Contributions to the meetings of the high-level political forum on sustainable development and implementation of the environmental dimension of the 2030 Agenda for Sustainable Development.
 9. High-level segment.

10. Provisional agenda, date and venue of the sixth session of the Environment Assembly.
11. Adoption of the resolutions, decisions and outcome document of the session.
12. Election of officers.
13. Other matters.
14. Adoption of the report.
15. Closure of the session.

4. *Requests* the Committee of Permanent Representatives, in consultation with the Bureau of the United Nations Environment Assembly, to contribute to the preparation of the annotations to the provisional agenda set out in paragraph 3 above;

5. *Requests* the Bureau of the United Nations Environment Assembly, in consultation with the Committee of Permanent Representatives, to define a theme for the Environment Assembly no later than 31 December 2019;

6. *Strongly encourages* member States to submit draft resolutions for consideration by the United Nations Environment Assembly at its fifth session preferably at least eight weeks in advance of the fifth meeting of the Open-ended Committee of Permanent Representatives, taking into account the theme of the fifth session of the Environment Assembly, the limited time and resources available for the negotiation of the resolutions during the fifth meeting of the Open-ended Committee of Permanent Representatives and the fifth session of the Environment Assembly, without prejudice to the rules of procedure, in particular rule 44;

7. *Requests* the Executive Director to submit draft decisions for consideration by the Environment Assembly at its fifth session at least eight weeks in advance of the fifth meeting of the Open-ended Committee of Permanent Representatives;

8. *Also requests* the Executive Director to prepare, in consultation with member States, the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment held in Stockholm from 5 to 16 June 1972, making use of contributions from relevant stakeholders;

Process for review by the Committee of Permanent Representatives

9. *Requests* the Chair of the Committee of Permanent Representatives, in close consultation with the President of the Environment Assembly, to present to the Committee of Permanent Representatives for its deliberation and decision at the sixth annual subcommittee meeting a consolidated proposal outlining a consensual process for review by the Committee of Permanent Representatives of the United Nations Environment Assembly and its subsidiary bodies, with a view to providing concrete proposals for the improvement of their efficiency and effectiveness, for consideration by the United Nations Environment Assembly at its fifth session;

10. *Decides* that the *scope* of the consideration during the review process will be:

(c) The preparation, working arrangements, and scheduling of sessions of the Environment Assembly and the objectives, preparation, working arrangements and the scheduling of meetings of its subsidiary body, namely the meeting of the Open-ended Committee of Permanent Representatives and the regular and annual meetings of the subcommittee of the Committee of Permanent Representatives;

(d) The respective roles and responsibilities of the Bureau of the Environment Assembly and of the Bureau of the Committee of Permanent Representatives, including those related to interactions with their respective constituencies;

(e) Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions;

(f) Monitoring and reporting on the implementation of the programme of work and budget and of the resolutions of the Environment Assembly;

11. *Requests* the Executive Director to conduct a mapping exercise and provide an input paper on the topics specified in paragraph 10 of the present decision at least three weeks ahead of the sixth annual subcommittee meeting;

12. *Decides* that the review process will be open, inclusive and transparent and provide the opportunity for the submission of written input by member States and stakeholders throughout the duration of the process, and also decides that it will be co-chaired by two members of the Committee of Permanent Representatives, one from a developing country and one from a developed country;

13. *Requests* the Chair of the Committee of Permanent Representatives to hold a stock-taking meeting, not exceeding two days in duration, under the framework of the seventh annual subcommittee meeting, with the goal of considering the endorsement of the progress achieved at that time;

14. *Requests* the Executive Director to submit an action plan for the implementation of subparagraphs (a)–(h) of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development, to be submitted for consideration by the United Nations Environment Assembly at its fifth session, and invites the Director-General of the United Nations Office at Nairobi to contribute to the development of the plan in respect of the implementation of subparagraph (g) concerning the headquarters functions of the United Nations Environment Programme in Nairobi.

Annex 2: Timing and duration of the meetings of the UNEP governing bodies

| Meeting | Timing | Duration | Mandate |
|--|---|---|---|
| UNEA | Customarily 5 days, ending with 2-day high-level segment ⁷ | Odd-numbered years, starting in 2017 ⁸ | UNEA resolution 2/22 “Review of the cycle of UNEA of UNEP” 1. <i>Decides</i> to hold its regular sessions in odd numbered years commencing with its third session in 2017; |
| OECPR | 5 days | Odd-numbered years, starting in 2017 | 2. <i>Also decides</i> that the above-mentioned cycle shall also apply to the open-ended meetings of the CPR to be held in accordance with Governing Council decision 27/2; |
| CPR annual subcommittee | 5 days | Annually | Governing Council decision 27/2 11. <i>Decides</i> to establish a sub-committee of the CPR that will meet annually for a period of 5 days... |
| Regular CPR meetings | Customarily ½ day | Quarterly | Governing Council decision 19/32 10. That the CPR shall hold 4 regular meetings a year. Extraordinary meetings may be also convened by its Chairperson, after consultation with the other members of the Bureau or at the request of at least five members of the Committee. The CPR may establish subcommittees, working groups and task forces as deemed appropriate to carry out its mandate; |
| CPR subcommittee/ briefings on specific topics | Customarily ½ day | As necessary, as decided by the CPR Bureau | |

⁷ Regular sessions of UNEA are convened biennially, for five days, concluding with “a two-day of high-level segment as an integral part of the governing body of UNEP, which will take strategy decisions and provide political guidance...” (Governing Council decision 27/2, paragraph 5). The most recent Governing Council decision that explicitly referred to the duration of the sessions of the Governing Council was adopted in June 1987, entitled “Periodicity and duration of sessions of the Governing Council”, which limits the regular sessions of the Council to a maximum of 10 working days (decision 14/4, paragraph 2).

⁸ Switched from even-numbered years.

ANNEX 3: Legislative mandates for UNEA and CPR

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| <p>UNEA (see Annex 2.1 for actual text)</p> |
| <p>a. 1972 General Assembly resolution 2997 (XXVII) “Institutional and financial arrangements for international environmental governance”</p> <p>b. 1997 Nairobi Declaration on the Role and Mandate of UNEP</p> <p>c. 2012 UN Conference on Sustainable Development outcome document, “The future we want”, paragraph 88</p> <p>d. 2013 UNEP Governing Council decision 27/2 “Implementation of paragraph 88 of the outcome document of the UN Conference on Sustainable Development”</p> |
| <p>CPR (see Annex 2.2 for actual text)</p> |
| <p>a. 1983 UNEP Governing Council decision 11/2 “Periodicity and duration of the Governing Council sessions”</p> <p>b. 1985 UNEP Governing Council decision 13/2 “Establishment of a Committee of Permanent Representatives”</p> <p>c. 1997 UNEP Governing Council decision 19/32 “Governance of UNEP”</p> <p>d. 2013 UNEP Governing Council decision 27/2 “Implementation of paragraph 88 of the outcome document of the UN Conference on Sustainable Development”</p> |
| <p>Open-ended CPR (see Annex 2.3 for actual text)</p> |
| <p>Governing Council decision 27/2 mandates that an open-ended CPR (OECPR) will be the subsidiary intersessional body of the UNEA that meets for a period of 5 days.</p> |
| <p>Annual subcommittee of the CPR (see Annex 2.4 for actual text)</p> |
| <p>Governing Council decision 27/2 also establishes a subcommittee of the CPR, which meets annually for a period of 5 days.</p> |

Annex 2.1: Legislative mandates for the UNEA

- **General Assembly resolution 2997 (XXVII) “Institutional and financial arrangements for international environmental cooperation” (15 December 1972)**
 2. *Decides* that the Governing Council shall have the following main functions and responsibilities:
 - (a) To promote international co-operation in the field of the environment and to recommend, as appropriate, policies to this end;
 - (b) To provide general policy guidance for the direction and co-ordination of environmental programmes within the United Nations system;
 - (c) To receive and review the periodic reports of the Executive Director of the United Nations Environment Programme, referred to in section II, paragraph 2, below, on the implementation of environmental programmes within the United Nations system;
 - (d) To keep under review the world environmental situation in order to ensure that emerging environmental problems of wide international significance receive appropriate and adequate consideration by Governments;
 - (e) To promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information

and, as appropriate, to the technical aspects of the formulation and implementation of environmental programmes within the United Nations system;

(f) To maintain under continuing review the impact of national and international environmental policies and measures on developing countries, as well as the problem of additional costs that may be incurred by developing countries in the implementation of environmental programmes and projects, and to ensure that such programmes and projects, and to ensure that such programmes and projects shall be compatible with the development plans and priorities of those countries;

(g) To review and approve annually the programme of utilization of resources of the Environment Fund referred to in section III below;

- **Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme (7 February 1997)**

3. That to this end, we reaffirm the continuing relevance of the mandate of the United Nations Environment Programme deriving from General Assembly resolution 2997 (XXVII) of 15 December 1972 and further elaborated by Agenda 21. The core elements of the focused mandate of the revitalized United Nations Environment Programme should be the following:

(a) To analyse the state of the global environment and assess global and regional environmental trends, provide policy advice, early warning information on environmental threats, and to catalyse and promote international cooperation and action, based on the best scientific and technical capabilities available;

(b) To further the development of its international environmental law aiming at sustainable development, including the development of coherent interlinkages among existing international environmental conventions;

(c) To advance the implementation of agreed international norms and policies, to monitor and foster compliance with environmental principles and international agreements and stimulate cooperative action to respond to emerging environmental challenges;

(d) To strengthen its role in the coordination of environmental activities in the United Nations system in the field of the environment, as well as its role as an Implementing Agency of the Global Environment Facility, based on its comparative advantage and scientific and technical expertise;

(e) To promote greater awareness and facilitate effective cooperation among all sectors of society and actors involved in the implementation of the international environmental agenda, and to serve as an effective link between the scientific community and policy makers at the national and international levels;

(f) To provide policy and advisory services in key areas of institution-building to Governments and other relevant institutions;

4. That, for the effective discharge of its focused mandate and to ensure the implementation of the global environmental agenda, we have decided to improve the governance structure of United Nations Environment Programme. In doing so, we have been guided by the following considerations:

(a) The United Nations Environment Programme should serve as the world forum for the ministers and the highest-level government officials in charge of environmental matters in the policy and decision-making processes of the United Nations Environment Programme;

(b) Regionalization and decentralization should be strengthened through the increased involvement and participation of regional ministerial and other relevant forums in the United Nations Environment Programme process, complementary to the central coordinating role of the Programme's headquarters in Nairobi;

(c) The participation of major groups should be increased;

(d) A cost-effective and politically influential inter-sessional mechanism should be designed;

- **General Assembly resolution 66/288 “The future we want” (27 July 2012)**

88. We are committed to strengthening the role of the United Nations Environment Programme as the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system and serves as an authoritative advocate for the global environment. We reaffirm General Assembly resolution 2997 (XXVII) of 15 December 1972 establishing the United Nations Environment Programme and other relevant resolutions that reinforce its mandate, as well as the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme of 7 February 1997 and the Malmö Ministerial Declaration of 31 May 2000. In this regard, we invite the Assembly, at its sixty-seventh session, to adopt a resolution strengthening and upgrading the United Nations Environment Programme in the following manner:

- (a) Establish universal membership in the Governing Council of the United Nations Environment Programme, as well as other measures to strengthen its governance as well as its responsiveness and accountability to Member States;
- (b) Have secure, stable, adequate and increased financial resources from the regular budget of the United Nations and voluntary contributions to fulfil its mandate;
- (c) Enhance the voice of the United Nations Environment Programme and its ability to fulfil its coordination mandate within the United Nations system by strengthening its engagement in key United Nations coordination bodies and empowering it to lead efforts to formulate United Nations system-wide strategies on the environment;
- (d) Promote a strong science-policy interface, building on existing international instruments, assessments, panels and information networks, including the Global Environment Outlook, as one of the processes aimed at bringing together information and assessment to support informed decision-making;
- (e) Disseminate and share evidence-based environmental information, and raise public awareness on critical, as well as emerging, environmental issues;
- (f) Provide capacity-building to countries, as well as support, and facilitate access to technology;
- (g) Progressively consolidate headquarters functions in Nairobi, as well as strengthen its regional presence, in order to assist countries, upon request, in the implementation of their national environmental policies, collaborating closely with other relevant entities of the United Nations system;
- (h) Ensure the active participation of all relevant stakeholders, drawing on best practices and models from relevant multilateral institutions and exploring new mechanisms to promote transparency and the effective engagement of civil society.

- **Governing Council decision 27/2 “Implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development” (22 February 2013)**

5. *Decides* that each session of the governing body of United Nations Environment Programme will conclude with a two-day high level segment as an integral part of the governing body of United Nations Environment Programme, which will take strategic decisions and provide political guidance and will perform inter alia the following functions:

- (a) Setting the global environmental agenda;
- (b) Providing overarching policy guidance and defining policy responses to address emerging environmental challenges;
- (c) Undertaking policy review, dialogue and exchange of experiences;

- (d) Setting the strategic guidance on the future direction of the United Nations Environment Programme;
- (e) Organizing a multi-stakeholder dialogue;
- (f) Fostering partnerships for achieving environmental goals and resources mobilization;

7. *Decides* that the governing body will ensure the active participation of all relevant stakeholders, particularly those from developing countries, drawing on best practices and models from relevant multilateral institutions and will explore new mechanisms to promote transparency and the effective engagement of civil society in its work and that of its subsidiary bodies, inter alia by:

- (a) Developing by 2014 a process for stakeholder accreditation and participation that builds on the existing rules of procedure and takes into account inclusive modalities of the Commission of Sustainable Development and other relevant United Nations bodies;
- (b) Establishing by 2014 mechanisms and rules for stakeholders expert input and advice;
- (c) Enhancing by 2014 working methods and processes for informed discussions and contributions by all relevant stakeholders towards the intergovernmental decision making process;

8. *Decides* that the governing body of the United Nations Environment Programme will promote a strong science policy interface by reviewing the state of the environment, by building on existing international instruments, assessments, panels and information networks, including through an enhanced Summary for Policy Makers of the Global Environment Outlook, and in this regard, requests the Executive Director to identify critical gaps and present a report, with recommendations, to the governing body;

Annex 2.2: Legislative mandates for the CPR

- **Governing Council decision 11/2 “Periodicity and duration of Governing Council sessions” (23 May 1983)**

3. *Decides also* to discontinue forthwith the present system of intersessional informal consultations with Governments, and, with a view to providing the requisite continuity of co-ordination and co-operation between member States and the secretariat of the Programme:

- (a) To invite permanent representatives to the Programme at Nairobi and/or Government-designated officials to meet the Executive Director at least three times a year to consider administrative and budgetary and programme matters, and to review progress in the implementation of the programme and Governing Council decisions, as well as specific issues proposed by the permanent representatives or the Executive Director; meetings would last as necessary and should take place in each quarter, except that in which the session of the Governing Council takes place;
- (b) To recommend to the permanent representatives and/or Government-designated officials that they establish, from among themselves and upon the nomination of their respective groups, a core group of 18 members having due regard to considerations of equitable geographical distribution; the meetings of the core group at which attendance will be open-ended, shall be held more frequently than those of its parent body to discuss among the participants or with the Executive Director specific items of importance to the Governing Council, the tasks of the core group should include facilitating the preparations for Governing Council sessions, monitoring and advising on the implementation of Governing Council decisions, and putting in effect the work programme established for the group by the Governing Council, the permanent representatives and/or Government-designated officials are invited to make recommendations to the Governing Council through the Executive Director.

- **Governing Council decision 13/2 “Establishment of a Committee of Permanent Representatives” (23 May 1985)**
 1. *Decides* to establish, in accordance with rule 62 of its rules of procedure, an open-ended Committee of Permanent Representatives, consisting of permanent representatives to the Programme and/or Government-designated officials, to consider and make recommendations to the Council on the matters mentioned in decision 11/2, paragraph 3, and to take action on any other matters specifically entrusted to it by the Council;

- **Governing Council decision 19/32 “Governance of the United Nations Environment Programme” (4 April 1997)**
 7. That, with a view to strengthening the Committee of Permanent Representatives, as a subsidiary organ of the Governing Council, it shall have henceforth the following mandate:
 - (a) Within the policy and budgetary framework provided by the Governing Council, to review, monitor and assess the implementation of decisions of the Council on administrative, budgetary and programme matters;
 - (b) To review the draft programme of work and budget during their preparation by the secretariat;
 - (c) To review reports requested of the secretariat by the Governing Council on the effectiveness, efficiency and transparency of the functions and work of the secretariat and to make recommendations thereon to the Governing Council;
 - (d) To prepare draft decisions for consideration by the Governing Council based on inputs from the secretariat and on the results of the functions specified above;

- **Governing Council decision 27/2 “Implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development” (22 February 2013)**
 12. *Decides* that the Committee of Permanent Representatives will consider the frequency, schedule and programmatic focus of its meetings to enhance its efficiency and effectiveness and will improve upon its working methods;

Annex 2.3: Legislative mandates for the open-ended CPR

- **Governing Council decision 27/2**
 9. *Decides* that an open-ended Committee of Permanent Representatives will be the subsidiary inter-sessional body of the governing body of the United Nations Environment Programme and, in addition to its mandate and in open and transparent manner, will perform the following functions:
 - (a) Contribute to the preparation of the agenda of its governing body;
 - (b) Provide advice to its governing body on policy matters;
 - (c) Prepare decisions for adoption by its governing body and oversee their implementation;
 - (d) Convene thematic and/or programmatic debates;
 - (e) Promote effective ways and means to facilitate participation of the non-resident members of the Committee, particularly from developing countries;
 - (f) Perform any other functions delegated to it by its governing body;

 10. *Decides* to convene an open-ended meeting of the Committee of Permanent Representatives, while ensuring support to developing countries representatives, to enable the participation of capital-based delegates as well as stakeholders for a period of five days in an even year to contribute to preparation of the agenda of its governing body, and to provide advice to its governing body on policy matters;

Annex 2.4: Legislative mandates for the annual subcommittee of the CPR

- **Governing Council decision 27/2**

11. *Decides* to establish a sub-committee of the Committee of Permanent Representatives that will meet annually for a period of 5 days to review, with the support of the secretariat, the Medium Term Strategy and Programme of Work and budget, in a manner coherent with the budgetary cycle of the United Nations, to be endorsed by the Committee of Permanent Representatives and for the governing body's approval, and to oversee their implementation and accountability by the secretariat.