

Committee of Permanent Representatives  
Subcommittee Meeting  
Thursday 16 January 2020  
9:00 a.m. to 12.00 p.m. and 1:30 p.m. to 4:30 p.m.  
United Nations Office at Nairobi, Gigiri  
Conference Room 4

**Note from the Secretariat for the consultation meeting on the Process for review by the  
Committee of Permanent Representatives:  
legislative mandates for the UN Environment Programme governing bodies**

At the Subcommittee meeting held on 26 November 2019, the Secretariat was requested to re-issue the information on legislative mandates for the UN Environment Programme governing bodies, originally annexed to [document UNEP/CPR/146/8](#) which was considered by the Committee of Permanent Representatives at its 146<sup>th</sup> meeting on 20 June 2019.

The present note includes the following relevant annexes, which may serve as useful background documentation for the process for review:

Annex 1: Timing and duration of the meetings of the UNEP governing bodies

Annex 2: Legislative mandates for UNEA and CPR

Annex 3: Governing Council decision 27/2 - Implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development

Annex 3: visual overview of the current governance structure of the UN Environment Programme.

## **Annex 1: 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 <sup>1</sup>	Odd-numbered years, starting in 2017 <sup>2</sup>	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;
OECP	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	

<sup>1</sup> Regular sessions of UNEA are convened biennially, for five days, concluding with "a two-day high-level segment as an integral part of the governing body of UNEP, which will take strategic 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).

<sup>2</sup> Switched from even-numbered years.

## **ANNEX 2: Legislative mandates for UNEA and CPR**

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

### **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.



## Annex 3

### **Decision 27/2: Implementation of paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development**

The Governing Council, Welcoming the outcome document, “The future we want”, of the United Nations Conference on Sustainable Development held from 20 to 22 June 2012 in Rio de Janeiro, Brazil, which invited the General Assembly to adopt at its sixty-seventh session a resolution strengthening and upgrading the United Nations Environment Programme, as outlined in paragraph 88, subparagraphs (a)–(h), of the outcome document, and recalling General Assembly resolution 66/288 of 27 July 2012, Reaffirming the need to strengthen international environmental governance within the context of the institutional framework for sustainable development in order to promote a balanced integration of the economic, social and environmental dimensions of sustainable development, as well as coordination within the United Nations system, Recognizing General Assembly resolution 67/213 of 21 December 2012 on, inter alia, the implementation of section IV.C, entitled “Environmental pillar in the context of sustainable development”, of the outcome document of the United Nations Conference on Sustainable Development and under which the first universal session of the Governing Council of the United Nations Environment Programme is held,

1. Recommends to the General Assembly that the Governing Council of the United Nations Environment Programme, an intergovernmental body established pursuant to article 22 of the United Nations Charter, be renamed as the United Nations Environment Assembly of the United Nations Environment Programme;
2. Reaffirms the commitment to strengthen 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;
3. Decides that the governing body of the United Nations Environment Programme<sup>3</sup> will convene its sessions in Nairobi on a biennial basis, starting in 2014, and will carry out its mandate as set out in General Assembly resolution 2997 (XXVII) of 15 December 1972 and all other relevant resolutions that reinforce its mandate as well as the 1997 Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme, the 2000 Malmö Ministerial Declaration, the 2010 Nusa Dua Declaration and paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development as endorsed by the General Assembly in resolution 66/288;
4. Decides to discontinue the Global Ministerial Environment Forum;
5. Decides that each session of the governing body of the United Nations Environment Programme will conclude with a two-day high level segment as an integral part of the governing body of the United Nations Environment Programme, which will take strategic decisions and provide political guidance and will perform inter alia the following functions: UNEP/GC.27/17 26(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 resource mobilization;
6. Decides that the Bureau of the governing body of the United Nations Environment Programme 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;
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

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<sup>3</sup> The Governing Council of the United Nations Environment Programme, whose designation is subject to change pursuant to paragraph 1 of the present decision and a resolution of the General Assembly to that effect.

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 on 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;

9. Decides that an open-ended Committee of Permanent Representatives will be the intersessional subsidiary body of the governing body of the United Nations Environment Programme and, in addition to its mandate<sup>4</sup> and in open and transparent manner, will perform the following functions: (a) Contributing to the preparation of the agenda of its governing body; (b) Providing advice to its governing body on policy matters; (c) Preparing decisions for adoption by its governing body and overseeing their implementation; (d) Convening thematic and/or programmatic debates (e) Promoting effective ways and means to facilitate participation of the non-resident members of the Committee, particularly from developing countries (f) Performing 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 country representatives, to enable the participation of capital-based representatives 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;

11. Decides to establish a subcommittee of the Committee of Permanent Representatives that will meet annually for a period of five 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; 2 Governing Council decision 19/32, paragraph 7. UNEP/GC.27/17 27

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;

13. Commits to progressively consolidate headquarters functions of the United Nations Environment Programme in Nairobi and in this context requests the Executive Director to present a report to the governing body at its next session and to include recommendations in the programme of work for the period 2016–2017 to be acted upon and implemented in a timely manner;

14. Decides to strengthen the United Nations Environment Programme's regional presence in order to assist countries in the implementation of their national environmental programmes, policies and plans and in this regard requests the Executive Director to increase the Programme's participation in United Nations country teams;

15. Stresses the importance of the regional ministerial environment forums for which the United Nations Environment Programme serves as secretariat, and invites these forums to contribute, as appropriate, to the work of the governing body of the United Nations Environment Programme;

16. Decides to consider additional measures to strengthen the United Nations Environment Programme's voice and ability to fulfil its coordination mandate on environmental matters and, in this regard, invites the

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<sup>4</sup> Governing Council decision 19/32, paragraph 7.

Secretary-General to take necessary steps to enhance the United Nations Environment Programme's role in key United Nations coordination bodies;

17. Decides to enhance transparency and openness in its work and in this regard requests the Executive Director to establish a written access-to-information policy;

18. Invites the Executive Director to continue improving the timeliness and responsiveness to the needs and requests by Member States and recalls the relevant provisions of paragraph 13 of its decision 19/32;

19. Stresses the need by no later than 2016 to implement the provisions of paragraph 88 (b) of the outcome document of the United Nations Conference on Sustainable Development and requests the Executive Director to report thereon;

20. Decides to implement paragraph 88 (f) of the outcome document of the United Nations Conference on Sustainable Development and, in this context, requests the Executive Director to enhance the operationalization of the Bali Strategic Plan for Technology Support and Capacity-building;

21. Invites the General Assembly to adopt a resolution to change the designation of the Governing Council along the lines of the text contained in the annex to the present decision.

# UN Environment Programme Governance Structure

Governed by mandates in resolutions, rules of procedure and established practises

