

QUESTIONNAIRE – Government of Australia response

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

I. Guiding questions concerning the preparatory process

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

- a. *Under which agenda item should UNEA 5 consider these recommendations?*
In Australia’s view, the recommendations of the working group should be considered under the existing agenda item 5, as an international environmental policy and governance issue.
- b. *One option being under the inclusion in the already established item 5 of the provisional agenda entitled “International environmental policy and governance issues” or by recommending the establishment of a new item?*
See above. In light of the broad scope and content of the current UNEA-5 agenda Australia’s view is that having the consideration of these recommendations incorporated into the relevant existing agenda item is a practical and time-effective approach.

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

- a. *What level of detail should a text have in order to be considered by UNEA 5?*
It is Australia’s view that UNEA-5 would best serve as an opportunity to establish the parameters and process for the political declaration. Negotiation and finalisation of the statements could then occur over the minimum 11 month period between UNEA-5 concluding (in February 2021) and the 50 year anniversary of the creation of the United Nations Environment Programme (2022). This would allow for effective prioritisation to occur at UNEA-5 between ministerial declaration discussions and other work streams which need to finalise outcomes by the conclusion of the Assembly.
- b. *When should the “preparation of a political declaration” begin and what should be the recommended format, leadership and timeline of the preparatory process before UNEA 5?*
As above, Australia’s view is that UNEA-5 should be used to establish a process and timelines for the political declaration, with negotiations to occur in the period between February 2021 and the high-level event. Prior to UNEA-5, Member States can act upon the Resolution in a participatory and transparent manner by establishing a preparatory process that makes use of written input submissions to determine areas of preliminary consensus. Member States can then make use of sessions in the margins of existing intersessional forums that involve higher capital-based attendance such as the 7th Annual Subcommittee meeting (ASC-7) to act upon any areas of consensus to progress discussions regarding the political statement in the lead up to UNEA-5.
- c. *How can accredited stakeholders be involved, and member States without representation in Nairobi participate, in the process?*
Australia strongly supports Member States being involved and driving this process. Australia supports accredited stakeholders and Member States without representation in Nairobi being involved in the process through invitations to

share written inputs (with ample advance notice provided), and by making use of remote participation solutions. In this respect, we recall discussions at the Sixth Annual Subcommittee Meeting in October 2019 on supporting non-Nairobi based participation in the CPR review process through the development of remote access solutions. If any technological or organisational solutions have since been established, they could perhaps be applied in this instance to broaden involvement in the process.

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

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

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

Australia strongly supports that the declaration be an output of a high-level meeting convened under the auspices of the United Nations System. Australia supports this high-level meeting being the 50 year celebration of UNEP’s creation in 1972. However, noting that the outcome text above does not necessarily call for a standalone meeting, Australia could support other UN high-level events on the environment and sustainable development which may coincide with the commemoration of UNEP’s creation as an opportunity to deliver the political statement.

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

Australia supports any offers from Member States to convene the UN high-level meeting, including proposals for joint hosting, being assessed on the basis of relevance, and suitability of conference venues, provision of local staff, clarity on financial undertakings and facilitation of visas, privileges and immunities.

Australia suggests that the offering Member State(s) develop the format of the meeting in consultation with all Member States, and with support from the Secretariat, making use of existing intersessional forums such as ASC-7 and CPR meetings as much as possible to convene such discussions.

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

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

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

Australia’s view is that the scope of elements to be captured in the political declaration is clearly defined in the annex of UNGA Resolution 73/333 (recommendations of the working group). Australia supports these recommendations providing a productive and meaningful basis for members to develop a political declaration regarding the strengthening of the implementation of international environmental law and international environmental governance befitting the commemoration of the creation of UNEP.

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

Australia supports these five objectives and thirteen recommendations being used as guiding principles for the declaration; text of the political declaration should not transgress the objectives and substantive recommendations that were negotiated by the ad hoc open-ending working group in the first half of 2019, and endorsed by UNGA Resolution 73/333.

- c. *Should there be a substantive connection between the political declaration and the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment?*

The Resolution prescribes that the political declaration be prepared ‘...in the context of the commemoration of the creation of the United Nations Environment Programme by the United Nations Conference on the Human Environment’. This would warrant the declaration citing UNEP’s 1972 creation to establish context; however a more ‘substantive’ link isn’t implied in the text. The commemoration of UNEP’s creation represents an occasion and landmark for global environmental cooperation, which is thematically broader than the political declaration requested by UNGA Resolution 73/333. Australia is of the view that preparation of the political declaration should not be unnecessarily influenced or prejudiced by a perceived requirement for there to be a ‘substantive connection’ to the commemoration.

- d. *How should the political declaration be in line with paragraph 88 of the outcome document of the United Nations Conference on Sustainable Development?*

Similar to our above input, Australia recognises that paragraph 88 of the United Nations Conference on Sustainable Development outcome document is thematically broader than the scope of the political declaration. Australia would encourage a political declaration that is complementary to paragraph 88, including by:

- Affirming the role of UNEP to lead efforts to formulate United Nations system-wide strategies on the environment;

- Reflecting on the role of international environmental law and international environmental governance in achieving the coherent implementation of the environmental dimension of sustainable development within the UN system.
 - Fostering stronger linkages between scientific, technical and technological actors, particularly by building on the progress of existing international instruments, assessments, panels and information networks in order to support informed decision making on the environment.
- e. *What kind of inputs should the Secretariat prepare in order to best assist member States in the preparation of the political declaration?*

Australia would welcome inputs from the Secretariat of the Governing Bodies (SGB) in the form of standard administrative support to Member States e.g. circulation of discussion papers and information notes, coordination of consultation exercises at the direction and approval of the relevant governing group. Australia supports the governing body having the responsibility in managing the negotiating process of the political declaration.