

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

Written submission by the EU and its Member States

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

We encourage the continuation of the Secretariat’s practice that started at UNEA4 to provide opinions on draft resolutions from a legal and financial perspective, including on the added value as compared with PoW and how it aligns with the PoW. This practice could be further developed for coming UNEAs while it is important that resolutions are aligned with, and add value to, the POW.

The EU and its MS suggest that in order to make the negotiation process more efficient and politically relevant, best practices from other fora be collected, e.g. with regards to the role of the secretariat or facilitator as “penholder” during the negotiations as well as consideration of involvement of Ministers on selected issues.

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

We support a closer dialogue between MEAs and the UNEP governing bodies, as well as MEA engagement in the preparation and implementation of resolutions and stress the need to develop a monitoring tool to enable MS to have oversight on implementation of adopted resolutions, decisions and declarations.

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

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