

24 February 2020

Process for review by the Committee of Permanent Representatives
Emerging consensual elements by the co-facilitators

DRAFT EU+MS comments on Version II of 12 February 2020

A. Introduction

Paragraph 11 of decision 4/2 “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 3 weeks ahead of the 6th annual subcommittee meeting.” A [mapping exercise](#) developed by the Secretariat was considered by the CPR at its 146th meeting held on 20 June 2019, and a Secretariat [input paper](#) including specific options based on [inputs in writing submitted by Member States and stakeholders](#), as well as from relevant recommendations included in the [“UNEA-4: Assessment and lessons-learned”](#) paper prepared by the Secretariat and endorsed by the Committee of Permanent Representatives (CPR) in June 2019, was considered at the 6th annual subcommittee meeting of the CPR held on 9 October 2019. At that meeting, two co-facilitators, Mr Marcus Davis of Canada and Mr Mapopa C. Kaunda of Malawi, were appointed to lead consultations under the process for review, and a [roadmap for the consultation process](#) was adopted. So far, three subcommittee meetings have been held under the process for review by the CPR: on [31 October](#) and [26 November](#) 2019, and on [16 January](#) 2020.

This document outlines possible emerging consensual elements, as proposed by the co-facilitators of the process for review, emanating from guidance provided by member States at the subcommittee meetings referred to above. **It is complemented by Annex I, which outlines draft terms of references for the Bureau of UNEA and of the CPR. All proposals in this document are, where relevant, subject to the availability of financial resources.**

Subject to further consultations and confirmation by the subcommittee, the proposals may be reviewed at the 7th meeting of the Annual Subcommittee scheduled for 12-16 October 2020, for final consideration at UNEA

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B. Emerging consensual elements

1. The preparation, working arrangements and scheduling of sessions of the UN Environment Assembly and of 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. (Decision 4/2, subparagraph 10 (a))

Preliminary conclusions and recommendations:

1. Under the guidance of the UNEA Bureau and the Secretariat, ensure that the UNEA theme provides a framework for political debate at the high-level segment as well as for **official UNEA events, including UNEA side events, [the Major Groups and Stakeholders Forum](#), the Sustainable Innovation Expo and the Science Policy Business Forum**, and that it **informs** Member States in their preparation of draft UNEA resolutions, while fully respecting Member States' right to table draft resolutions on any subject in accordance with the UNEA Rules of Procedures.
2. Organize, as a general practice and unless otherwise decided by UNEA, meetings of the Open-Ended Committee of Permanent Representatives back-to-back with the UN Environment

- Assembly, while ensuring effective, participatory and inclusive intersessional preparations.
3. Designate the **meeting of the** Open-Ended Committee of Permanent Representatives as a “Preparatory Committee for the UN Environment Assembly” (UNEA PREPCOM) **to be convened under the auspices of the Bureau of the UN Environment Assembly**, while keeping its current mandate ~~and chairmanship~~, as established in **paragraph 10 of UNEP Governing Council decision 27/2**, unchanged.
 4. Designate the Annual Subcommittee meeting as a “Review and Oversight Committee”, while keeping its existing mandate **and chairmanship**, as established in **paragraph 11 of UNEP Governing Council decision 27/2**, unchanged.
 5. Under the guidance of the UNEA Bureau and **with the support from** the Secretariat, create an optimal balance between political negotiations, the UNEA high-level segment, and official and non-official UNEA events, to ensure political ownership and to enable, as far as possible, all Member States to participate in the negotiations on UNEA resolutions. This may entail limiting the number of side events and other events, minimizing overlaps in the scheduling and structure of UNEA sessions, **as well as minimizing to the extent possible the number of formal and informal negotiation groups working in parallel at the OECP and UNEA.**
 6. Under the guidance of the UNEA Bureau and **with the support from** the Secretariat and in close cooperation with the MEA Secretariats, strengthen the contributions **and active participation** of multilateral environmental agreements (MEAs) to UNEA with a view to promote **cooperation**, coherence and synergies, while fully respecting their respective mandates, including through **a standing invitation to take part in the deliberations of the meetings**, a possible “MEA segment” held in conjunction or back-to-back with the UNEA high level segment, and the involvement of MEA Secretariats in consultations on draft resolutions, **where relevant**. This may **help promote coherence** between the UNEA resolutions and the MEAs governing bodies’ resolutions.
 7. Strengthen preparations for UNEA at regional level, including by encouraging Members of the UNEA Bureau ~~and Member States with diplomatic representation in Nairobi~~ to **engage** in regional ministerial environmental forums and regional forums on sustainable development, to identify relevant regional contributions and inputs to UNEA sessions.
 8. Under guidance of the UNEA Bureau and **with the support from** the Secretariat, strengthen science- policy interface at UNEA, including by strategic **design, programming and** scheduling of the Science- Policy-Business Forum and the Sustainable Innovation Expo, by making best use of flagship scientific environmental assessments, and by facilitating science-based decision making through the **provision of dedicated briefings and consultations** on the theme of UNEA and/or proposed resolutions.
 9. In accordance with the UNEA Rules of Procedures and established practices **including as outlined in the UNEP Stakeholder Engagement Handbook¹**, the UNEA Bureau and the Secretariat **is encouraged** to strengthen the participation of **and contributions from** Major Groups representatives at UNEA and its preparatory process, including in the context of selecting the UNEA theme, by encouraging stronger participation from local, indigenous communities and small and medium-sized enterprises, and by offering relevant Secretariat trainings and briefings for stakeholders.
 10. Under the guidance of the CPR Bureau and **with the support from** the Secretariat, improve

Commented [SG1]: EU+MS would like to continue the discussion on this paragraph.

Commented [SG2]: EU+MS does not support scheduling a separate MEA segment or a back-to-back meeting. Instead we would

¹ <https://www.unenvironment.org/resources/publication/stakeholder-engagement-handbook>

the identification, formulation **and recording** of decisions and conclusions from CPR meetings, including through strategic and timely scheduling of CPR meetings and high-quality **and timely submission of** documentation from the Secretariat, such as annotated agendas, background documentation and meeting summaries.

11. Under the guidance of the CPR Bureau and **with the support of** the Secretariat and subject to the availability of resources, consider how to further broaden ownership and inclusiveness of CPR meetings through the facilitation of remote participation of Member States without representation in Nairobi, and **through improving** online access to documents and crucial information on meeting portals and the UNEA website.

11.12. Encourage Member States, which have not yet done so, to accredit themselves to UNEP.

II. 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; (Decision 4/2, subparagraph 10 (b))

12.13. Clarify the respective roles and responsibilities of the CPR and UNEA Bureaus, including with regard to joint meetings, by adopting draft terms of reference for each Bureau, as contained in Annex I.

III. Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions;

(Decision 4/2, subparagraph 10 (c))

Preliminary conclusions and recommendations - to be completed following additional consultations with the CPR..

IV. Monitoring and reporting on the implementation of the programme of work and budget and of the resolutions of the Environment Assembly; (Decision 4/2, subparagraph 10 (d))

Preliminary conclusions and recommendations - to be completed following additional consultations with the CPR.

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ANNEX: Revised draft terms of reference of the Bureaus of the United Nations Environment Assembly and of the Committee of Permanent Representatives