



EMBASSY OF THE STATE OF ERITREA NAIROBI

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The Permanent Mission of the State of Eritrea in Nairobi in its capacity as Office of the Dean of the African Diplomatic Corps (ADC) in Nairobi presents its compliments to the Secretariat of Governing Bodies, United Nations Environment Programme (UNEP), and has the honor to make reference to an invitation by UNEP for submission of written comments on the CPR-based review process.

In this regard the Embassy submits the position of the African Diplomatic Corps.

The Permanent Mission of the State of Eritrea in Nairobi in its capacity as Office of the Dean of the African Diplomatic Corps (ADC) in Nairobi avails itself of this opportunity to renew to the Secretariat of Governing Bodies, United Nations Environment Programme (UNEP), the assurances of its highest considerations.

Nairobi, 17 July 2020.



Secretariat of Governing Bodies
United Nations Environment Program
Nairobi

Draft for the African Group’s position on the CPR based review process

Background:

Pursuant to the UNEA decision 4/2 “Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly”, the Chair of the Committee of Permanent Representatives was requested, 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.

For that two Co-Facilitators were appointed to lead consultations under the process for review, and a roadmap for the consultation process was adopted as well at the 6th Annual Subcommittee Meeting of the CPR held on 9 October 2019.

So far, six subcommittee meetings have been held under the process for review by the CPR, resulting in 3 documents, i) Converging elements of consensus Process for review by the Committee of Permanent Representatives; ii) Annex I, which presents draft terms of references for the Bureau of UNEA and the CPR; iii) Annex II which provides guidance to the Member States on submission of resolutions to the UN Environment Assembly.

African Group’s position

1. The African Group categorically refuse the amending, modifying or renegotiating of the established rules of procedure. While most delegations expressed a similar view, in practice, many of the proposals may amount to

changing or circumventing the rules of procedure, and the Group will not support such proposals.

2. The African Group supports the idea of having only one document as the outcome of this process rather than two annexes.
3. The African Group stresses on the importance of respecting the purpose and mandate of this exercise, stated in UNEA decision 4/2, consisting on providing concrete proposals for the improvement of efficiency and effectiveness of the United Nations Environment Assembly and its subsidiary bodies. Hence any proposition should come with a clear rationale on its impact regarding delivering on this mandate. Also, appreciating the attempt by the secretariat to capture the lesson-learned from previous United Nations Environment Assembly session, the Group underlines the need to establish a genuine link between propositions and problems.
4. In this regards, the African Group wants to express its appreciation to the Co-chairs and to the Secretariat of UNEP for preparing a document that englobes the problems that member states are facing in relation to the efficiency and effectiveness of UNEA and its subsidiary bodies, and the solutions proposed to the said problems, as requested by the Group in a previous meeting, in order to help delegations to understand the rationale behind these propositions.
5. The African Group rejects the Annex number 1 “Terms of Reference”, and calls for its deletion. The Group considers that the document is opening up the rules of procedures in a subtle way, by allowing interpretations of the rules.
6. The African Group does not see any added value in the Annex number 2 related on the modalities of presenting resolutions. Furthermore, the Group believes that the document may create confusion among Member States with regards to the deadlines proposed in that document in comparison to the one clearly stated in the rules of procedures.
7. The Group supports the practice from recent UNEAs of organizing the meetings of the open-ended CPR (OECPR) back-to-back with UNEA and to make better use of the intersessional period for effective preparedness. This creates more clarity and allows for better participation by capitals
8. The African Group does not see any added value for renaming some of the existent meetings such as “the Open-Ended Committee of Permanent

Representatives” and “the Annual Subcommittee meeting”. The Group believes that such changes breach the mandate of the exercise and does not improve the efficiency nor the effectiveness of the UNEA and its subsidiary bodies.

9. The African Group opposes the establishment of any kind of “check-list” to assess draft resolutions, and any allusions to establishing a mandate for the UNEA bureau to evaluate resolutions intersessionally. Member States and regional groups should continue to enjoy their sovereign right of presenting draft resolutions on any issue they consider relevant while respecting the rules of procedure, in accordance with ‘rule 45’ that deal with Proposals and Amendments.
10. The African Group believes that establishment of timelines, criteria or otherwise that may establish a de-facto restriction on the ability of member states to table resolutions, or how these resolutions are received to be counterproductive.
11. The Group is aware of the importance of streamlining the work of UNEA as far as possible, and without prejudice to the rules of procedure, by ensuring the relevance of resolutions, their alignment to the agreed upon theme of the UNEA, and that the workload is manageable during UNEAs, all while seeing to guarantee a maximum impact, efficiency and effectiveness.
12. The Group also supports the notion of rationalizing the number of side and other events to enable small delegations to participate and ensure that these events do not compete ongoing drafting committees and negotiation processes.
13. The African Group stresses that procedural resolutions should not be used for substantive issues.
14. Any additional guidelines for preparing UNEA resolutions, including some of the ideas proposed to encourage delegations to prepare concept notes, are acceptable in principle. Nevertheless, such requirements should not overburden the delegations of developing countries, and the Secretariat should lend its expertise to assist any countries, should they request this.
15. The Group also is of the view that it is premature to ask member states to provide an assessment of financial requirements and implications of draft resolutions before its consideration. The Group believes that resolutions are put in place to address challenges that need global attention, and calling for

Programme Budget Implications (PBI) before the resolution is even considered may create problems.

16. The Group stresses on maintaining the critical role of the CPR as the decision-making body during the intersessional period up to and including the Open-ended CPR meeting, before it hands over to the UNEA bureau to manage the work during the session of UNEA, and rejects any intents of undermining that role. Instead effort should be made to strengthen the capacity of the CPR by the Secretariat
17. The African Group does not see an added value in holding the proposed “MEA segment”, particularly since this would require a green light” from UNEA itself. Participation of MEA Secretariats should continue as per current practice depending on the relevance of the discussions to their mandate.
18. On the other hand, The Group Secretariat encourages engagement with MEAs during the intersessional period and in the context of the CPR, including the proposal to having regular briefings by MEA Secretariats to the CPR, in an effort to ensure consistency, complementarity and synergies with UNEP's work.
19. The African Group calls upon the Secretariat of UNEP to prepare a document that includes ideas and proposals on how to better use the intersessional period, as many delegations asked throughout the process.
20. In this sense, The Group underlines the importance of the optimal use of the intersessional period to prepare for UNEA. Some of the actions that could be done to allow that include starting consultations among member states at an early stage to identify key thematic areas for draft resolutions; engage with the Secretariat and other relevant stockholders to exchange views on emerging environmental issues.
21. The African Group reiterate its will to engage with all delegations in a positive manner to come up with consensual proposals that enhance the efficiency and effectiveness of UNEA and its subsidiary bodies, once the Problems/Solutions matrix is available and the rationale behind the propositions can be understood.