

Bureau of the United Nations Environment Assembly
Subcommittee Meeting
Thursday 8 October 2020
Online Meeting

**Agenda Item 2: Consideration of the timing and format of UNEA-5
in view of COVID-19.**

This document serves as a background document for agenda item 2: Consideration of the timing and format of UNEA-5 in view of COVID-19.

It consists of a note from the President of the UN Environment Assembly with elements for a possible decision regarding the date and format of UNEA-5.

The Bureau is invited to consider the proposal in view of taking a decision on the timing and format for UNEA-5.

Note from the UNEA-President on date and format for UNEA-5

To facilitate discussions at the UNEA bureau meeting 8 October, I, as president for UNEA-5 wish to share with you elements for a possible decision which I hope can be accepted by all Member States regarding the date and format of UNEA-5.

I propose that we adopt a **“two-step” approach that will allow to convene UNEA-5 in February 2021 at the dates previously agreed, preferably in a virtual format with a revised and streamlined agenda. This session would be complemented by a second component in the form of a resumed UNEA-5 to be held in-person in Nairobi in early 2022 in a format to be defined and agreed upon.**

The rationale of my proposal is as follows:

While COVID-19 is an unprecedented and exceptional situation, the work of UNEA is important and should not be stopped or postponed if this can be avoided. The theme for UNEA is more relevant now than ever especially as the pandemic is connected to our interaction with nature.

Recognising that the pandemic prevents a normal Environmental Assembly as planned in February 2021, various options were outlined in the note from the Secretariat in advance of the meeting of the UNEA and CPR bureaux, 11 September. Member States have provided their views at a Sub-Committee meeting of the CPR, 1 October.

On the one hand, Member States agree the desirability of sending a signal to the world that the global environmental situation remains precarious and that there is therefore a clear need for a mutually supportive response to ensure a sustainable post-pandemic response. A February 2021 meeting will allow the Environment Assembly to send this signal at a time where governments are still developing their responses to the crisis and its consequences. This will also mark the start of the UN Decade for Ecosystem Restoration and the Decade for Action and Delivery of the SDGs. In addition, the current Medium-Term Strategy, Programme of Work and Budget for UNEP expires at the end of 2021. If we wish to make sure that UNEP is fit for purpose in a post-pandemic world, new governance documents must be adopted in 2021.

On the other hand, many Member States have also pointed to the problems of ensuring meaningful and equitable participation in online negotiations. This is an important consideration which I fully agree and recognize must be respected.

In order to balance these two concerns, I propose the following approach:

- UNEA-5 opens as scheduled on 22 February 2021 in a virtual format.
- The meeting could consist of
 - an opening plenary at which the agenda is adopted; assert quorum and consider the report of the credentials committee, consider the report of the Open Ended Committee of Permanent Representatives which will include among other matters decisions and resolutions on administrative and budgetary matters such the medium term strategy, the programme of work and budget for the biennium and decision on other important processes;
 - a High-Level-Segment with high level interactive dialogues and a multi-stakeholder dialogue and conclude with a plenary which will adopt the very limited number of decisions which are ready for adoption, as recommended by the Open-Ended Committee for

Permanent Representatives (OECPR), which has met in line with Decision 2 from UNEA-4. (See below for further discussion on these decisions).

- A ministerial outcome document is adopted by way of consensus by the Assembly (see discussion below).
- A suitable arrangement for national statements should be adopted, e.g. video recordings from those ministers who wish to make national statements are uploaded and are made available online.
- Pending decision by Member States, UNEA-5 could decide to adjourn and reconvene in February 2022 (as per Rule 8 of the Rules of Procedure).

1. Agreement on the reduced agenda for the initial online session in February 2021

To implement this approach in the most transparent and inclusive manner, I would recommend the CPR, during its Annual Sub-Committee meeting discusses and if possible define the limited scope of decisions which should be concluded and adopted by consensus at the February 2021 session of the fifth Environment Assembly. A useful criterion for the consideration of the CPR could be to assess which decision(s) are necessary in order to ensure the continued effective functioning of the UNEP Secretariat and UNEA and the support which they provide to other processes.

It might also be useful to ensure that any substantive questions remain on the agenda until the reconvened session.

The Annual Sub-Committee may also wish to consider as part of their preparations for the Assembly an exchange of views as to potential resolutions member states may wish to propose with particular relevance to the theme of UNEA-5: *Strengthening Actions for Nature to Achieve the Sustainable Development*, should there be agreement to postponing the negotiations on these until a later date. Reflecting such a discussion would be a useful input to the report for this initial meeting of the assembly to create a link to the reconvened assembly.

2. Ministerial outcome document(s)

One very important question which I would encourage further discussion of is to agree to a virtual high-level segment and to pursue our efforts to ensure the adoption by consensus of a timely ministerial declaration for UNEA-5. Member States gave a clear mandate to UNEP at the Rio+20 Summit in 2012 to "set the global agenda on the environment" (chapeau, para. 88). This was reaffirmed by Member States at the first universal meeting of UNEP's governing body in 2013, when the Environment Assembly was given this task. A clear outcome document is an important tool in this respect.

The practice around the development of a ministerial declaration since UNEA-3 has been that the UNEA president holds the pen in the development of this paper, based on a transparent and inclusive process. This was first and foremost undertaken by the President consulting his colleagues in regional meetings of environment ministers as well as in the margins of other international environment meetings, such as Conferences of the Parties of Multilateral Environmental Agreements. This was further supplemented by a written process where all inputs are published on a dedicated web-page, as well as regular briefings between the presidency and the CPR, an important opportunity for member states and stakeholders to also hear others' views. In the pandemic situation, it was my clear intention to use of open-ended virtual consultations and written inputs in order to see what can attract consensus.

However, an important component of agreeing on the ministerial declaration was open-ended consultations which my predecessors conducted in the margins of the Open-Ended Committee of Permanent Representatives. On that basis previous Environment Assemblies were able to adopt outcome documents by consensus. The inability to conduct such consultations in advance of the February 2021 session is indeed unfortunate.

However, rather than to forego any clear political message from the Assembly in February 2021, when we seek to send a message to the world of the importance of integrating also the environment into a sustainable post-pandemic recovery does not make sense. I would therefore like to continue my consultations, both through a written process, several global online consultation meetings and through our representatives in Nairobi, with the intention of seeing what kind of messages it is possible to agree on for adoption by consensus in February 2021. I intend to be very pragmatic and responsive to the views of member states on what it is we can agree on. I must however be clear that I feel that it will be regrettable if we as ministers of the environment meet in February and have no note-worthy, guiding message to send the world. With the help and support of the UNEA bureau, and of all member states that are dedicated to strengthening UNEP and UNEAs role in global environmental governance, I would like to try.

All this aside, I would also note that part of the advantages of reconvening in February 2022 to celebrate UNEP@50 is that we should be equally prepared to agree on a ministerial outcome document at that meeting as well. As noted above, I would want to work with UNEA-6 presidency in this regard, if this is agreeable to Member States.

3. Timing, agenda and preparation for the resumed UNEA-5 to be held in-person in Nairobi in early 2022

While there is a case to be made that the Environment Assembly be reconvened in the latter half of 2021, I am of the view that taking into account the need for time to prepare for a reconvened session, and that the international meeting schedule appears to be quite busy already, the feasibility of this is unclear.

As President I am of the view that waiting until February 2022 does allow for some advantages. It will allow building on the outcomes of the various environment meetings which have preceded the Assembly and facilitate the harnessing of synergies between the outcomes of those meetings and the UNEA-5 theme: *Strengthening Actions for Nature to achieve the Sustainable Development Goals*.

Perhaps the best reason of all to reconvene in February 2022 is that this will also provide an ideal opportunity to commemorate with the participation of Ministers of the Environment and the environmental community UNEP@50 in UNEP headquarters in a manner which befits such a milestone.

I would propose to consult further with regional and political groups on a reconvened in-person part two of UNEA5 in Nairobi.