



AMCEN



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African Ministerial Conference on the Environment

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Eighth special session

Ministerial meeting

Online, 4 December 2020

Africa's engagement in the Fifth United Nations Environment Assembly of UN Environment Programme*

Note by the secretariat

I. Background

1. The fifth session of the UN Environment Assembly (UNEA-5) is scheduled to take place from 22 to 26 February 2021, in Nairobi, Kenya, as agreed at UNEA-4 in March 2019. The session aims at connecting and consolidating environmental actions within the context of sustainable development and give significant impetus to more effective implementation.
2. UNEA-5 will be held under the theme: *Strengthening Actions for Nature to Achieve the Sustainable Development Goals*. The theme calls for strengthened action to protect and restore nature and the nature-based solutions to achieve the sustainable development goals in its three complementary dimensions (social, economic and environmental).
3. It will be noted, however, that COVID-19 has resulted in numerous impacts on socio-economic development, the environment and human well-being. The impact has also included the cancellation and postponement of several global meetings and negotiations. It is likely that the unfolding impact of COVID-19 may also affect the convening of UNEA-5.
4. This note aims to stimulate discussions during the eighth special session of the African Ministerial Conference, on how Africa can better engage in the 2021 Environment Assembly. This will include discussions on the development of inputs into the expected outcomes of the Assembly. Enhanced participation and contribution to the Assembly's outcomes by the African member states (the African Group) is paramount.

II. Status of preparations for the fifth UN Environment Assembly

5. The seventh annual meeting of the Committee of Permanent Representatives to the United Nations Environment Programme was held virtually from 12 to 16 October 2020. During the meeting, regional and political groups and Member States recognized the exceptional circumstances associated with the COVID-19 pandemic.
6. The Presidency of the Assembly, briefed delegates on the decisions of the UNEA Bureau in its meeting held on 8 October 2020, which included (i) the support to a "two-step" approach to convene UNEA-5 in February 2021 by virtual means under a streamlined agenda, followed by a resumed in-person UNEA-5 session in 2022 to consider substantive issues and link it to the fifty years commemoration on the creation of UNEP; (ii) the invitation to the CPR Chair with the support of the Secretariat to initiate the intergovernmental work towards the definition of the procedural decisions and resolutions; and (iii) the request the Secretariat to propose a structure for the first part of UNEA-5 in February 2021.

* The present document is being issued without formal editing.

7. Considering that the UNEA Bureau was divided on the suggestion of adopting a ministerial declaration in February 2021, the Presidency highlighted its intention to continue consultations with Member States to build consensus on the decisions/outcomes to be adopted that could be agreed in advance of the virtual segment of UNEA-5.

8. On the timing, scope and format of UNEA-5, there is a broad agreement with the “two-step approach” that would allow for the Assembly to be convened in February 2021, in a virtual format and in a manner consistent with its rules of procedure, to address time-sensitive administrative and budgetary matters necessary to UNEP’s business continuity. Member States have generally converged to the understanding that those matters are the Medium-Term Strategy 2022-2025 and the Programme of Work and Budget 2022-2023. Member States are also in agreement of holding a resumed session in 2022 on substantive matters, with the format and exact timing of the session to be agreed upon.

III. Scenario of the Fifth UN Environment Assembly

9. Consultations are continuing in the context of the CPR in order to reach a joint understanding on the minimalistic set of outcomes that could be, in principle, envisaged for the first segment of UNEA-5, to be prepared and held virtually.

10. The Secretariat has developed a preliminary structure for UNEA which contemplates an early adjournment of the first virtual session and indicates the main elements and items to be considered. In addition, the Secretariat has included the provisional agenda for the Assembly which indicates the items that are recommended to be addressed at the resumed substantive session in 2022.

11. The proposed revised agenda will consist of the opening of the session; adoption of the agenda and organization of work; credentials of representatives; report of the Committee of Permanent Representatives; programme of work and budget, and other administrative and budgetary issues including Programme of Work and Budget for 2022-2023 and Medium-Term strategy for the period 2022-2025, high-level segment and leadership dialogues.

12. It is proposed that the outcomes of the session include a summary of the high-level leadership dialogues, adoption of procedural decisions including MTS and POW, and possible ministerial political messages/outcome and that the virtual session be convened for three days.

IV. Strategic engagement of Africa in the fifth UN Environment Assembly

13. The proposal to have a High-Level Segment with Leadership Dialogues during the virtual UNEA-5 in February 2021 may create challenges as the summary of the discussions thereto may predetermine matters that remain inconclusive in the deliberations of several Conference of Parties (i.e. CBD and Climate Change). The African Group may wish to consider the Ministerial Declaration in 2022 as having the Declaration during the virtual UNEA-5 may introduce matters that have not been concluded due to the rescheduling of the COPS (CBD, UNFCCC).

14. The Ministerial Declaration is a substantive issue that requires negotiations. Therefore, it should not be adopted during UNEA-5 virtual meeting in February 2021 as negotiations require physical presence and lobbying. Adopting the Ministerial Declaration in the virtual meeting of UNEA-5 will go against the core principle of no virtual negotiations on substantive matters. There is a proposal to adopt “political messages/outcome” during the virtual UNEA-5. The African Group may wish to decide on how to approach this possible proposal.

15. Africa will hold the Presidency of UNEA-6 which is meant to start when the Presidency of Norway ends (Presidency of Norway is scheduled to end in February 2021 but could change depending on the format of UNEA-5). Africa may consider to put forward election of a new bureau as one of the agenda items to be concluded during the virtual meeting of UNEA-5 in February 2021. It should be emphasized that whether elections are conducted during the first or second part of UNEA-5, it should not interfere with Africa’s Presidency and that Africa should serve its full term of the UNEA Presidency.

16. In the meantime, the African Group should consult with their respective capitals and all relevant stakeholders including through AMCEN on which member State will take the Presidency of UNEA-6 when the time comes. A decision on this proposal should be made, if possible, at the eighth special session of AMCEN. It is imperative for the African Group to decide who will take up the UNEA Presidency so that the respective Member State is aligned to the current discussions and possible outcomes and the roadmap to the resumed UNEA-5 session. It is also critical for the African

Group to come up with criteria for future nomination of member states to the Presidency and the Bureau.

V. Participation of Africa in the fifth UN Environment Assembly

17. It is envisaged that the African region will actively participate and engage in dialogue in all the deliberations of the virtual meeting of UNEA-5 in February 2021. The eighth special session of AMCEN, therefore, provides an opportunity for the African region to strategically prepare itself regarding its effective participation in the 2021 UN Environment Assembly.

18. Through AMCEN, the Africa group should also articulate issues that are pertinent to Africa, in addition to the theme of UNEA-5: *Strengthening Actions for Nature to Achieve the Sustainable Development Goals*.

VI. Recommendations

19. It is, therefore, recommended that the African Ministerial Conference on the Environment prioritises the following suggested areas in preparation for virtual meeting of UNEA-5 in February 2021 and the resumed UNEA-5 in 2022:

- (a) Agreement on issues that will be covered in the virtual meeting of UNEA-5 which will focus on administrative and budgetary matters;
 - (b) Africa should start in-depth discussions on its Presidency by engaging at country level and amongst themselves to agree on Africa's nomination;
 - (c) Africa to start working with the current presidency (Norway) in preparing the commemoration of UNEP@50 since Africa will hold the next presidency of UNEA-6; and
 - (d) A clear position on how to approach the second part of UNEA-5 in 2022;
 - (e) Africa to have a clear proposal on the format of commemoration of UNEP@50.
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