

Joint meeting of the Bureaux of the UN Environment Assembly and the Committee of Permanent Representatives  
9-10 June 2020  
4:00 p.m. to 6:00 p.m. (GMT+3)  
Online meeting

**Agenda Item 2: Assessment of the online UNEA-5 (UNEA-5.1)**

This note, serves as background document for consideration of agenda item 2: Assessment of the online UNEA-5 (UNEA-5.1).

The note has been revised and updated, taking into account feedback from Member States and Stakeholders at the 154<sup>th</sup> meeting of the Committee of Permanent Representatives on 20 May 2021.

Members of the two Bureaux are invited to review and provide further guidance to the Secretariat on the assessment, with a view for it to be used by the Secretariat, and where appropriate by Member States, as an input for the adequate preparations for the resumed session of the Assembly (UNEA-5.2).

**The online fifth session of the United Nations Environment Assembly:**

**ASSESSMENT AND LESSONS LEARNED**

*Developed by the Secretariat of the UN Environment Programme.*

**I. Introduction**

1. This paper outlines key observations, lessons learned and recommendations from the first part of the fifth United Nations Environment Assembly (UNEA-5.1) which was held online on 22-23 February 2021. The paper has been developed by the Secretariat of the United Nations Environment Programme (UNEP), in consultation with Member States and Stakeholders.
2. As UNEP's governing body, the United Nations Environment Assembly (UNEA) is the world's highest-level decision-making body on the environment. It replaced the 58-member Governing Council following the outcome document entitled "The future we want" adopted at Rio+20 in June 2012 with the objective to strengthen and upgrade UNEP and ensure a more coherent system of international environmental governance, with a universal membership including all 193 UN Member States.
3. UNEA meets biennially to: set the global environmental agenda; provide overarching policy guidance and defining policy responses to address emerging environmental challenges; undertake policy review, dialogue and exchange of experiences; set the strategic guidance on the future direction of the UNEP; organize a multi-stakeholder dialogue; and foster partnerships for achieving environmental goals and resource mobilization (Governing Council decision 27/2). Through its resolutions and calls to action, UNEA provides leadership and catalyzes intergovernmental action on the environment and addresses emerging issues.
4. The [first](#), [second](#), [third](#) and [fourth](#) sessions (UNEA-1, 2, 3 and 4) of the UN Environment Assembly, held in 2014, 2016, 2017 and 2019, tackled major environmental themes such as illegal trade in wildlife, environmental rule of law, financing the green economy, pollution, delivering on the environmental dimension of the 2030 Agenda for Sustainable Development, and innovative solutions for environmental challenges and sustainable consumption and production. The overarching theme of the [fifth session](#) is "Strengthening Actions for Nature to Achieve the Sustainable Development Goals".
5. In light of the restrictions related to the COVID-19 pandemic, and based on broad consultations with the UNEA Bureau, Member States and stakeholders, Member States decided that the UNEA-5 should take place in a two-step approach. The first part (UNEA-5.1) was held online and broadcast live on 22-23 February 2021 with a revised and streamlined agenda that focused on urgent and procedural decisions. The outcomes of UNEA-5.1 were prepared at OECPR-5.1, which was organized online on 15-17 February 2021. Substantive matters that require in-depth negotiations, as well as the Ministerial Declaration under the theme of UNEA-5 have been deferred to a resumed session of the fifth session of the Assembly (UNEA-5.2) scheduled for 28 February – 2 March 2022, and will be prepared at a resumed fifth session of the Open-Ended Meeting of the Committee of Permanent Representatives (OECPR-5.2) on 21-25 February 2022.
6. UNEA-5.2 will be followed by a Special Session of the UN Environment Assembly (UNEA-SS), to be held 3-4 March 2022, which will be devoted to the commemoration of the 50th anniversary of the creation of UNEP in 1972.
7. More information is available on the [UNEA website](#) and on the [Roadmap for the UN Environment Governing Bodies](#).

## II. Summary of UNEA-5.1

8. UNEA-5.1 and OECP-5.1 were successfully organized online, resulting in tangible outcomes that were fully in line with the expected results. The meetings were well attended and demonstrated that the international community remains committed to making progress towards the protection and management of the global environment through multilateralism despite the ongoing pandemic. The lessons-learned from these meetings could offer useful insights for other UN-led online or “hybrid” meetings as well as for future meetings under UNEP governing bodies.
9. UNEA-5.1 endorsed a common message entitled “[Looking ahead to the resumed UN Environment Assembly in 2022 – Message from online UNEA-5, Nairobi 22 – 23 February 2021](#)”, adopted three decisions ([Medium-term strategy for 2022–2025 and programme of work and budget for the biennium 2022–2023](#); [Management of trust funds and earmarked contributions](#); and [Adjournment and resumption of the fifth session of the United Nations Environment](#)), and held a high level leadership dialogue [on 22 February](#) and on [23 February 2021](#) on the topic of *Contribution of the environmental dimension of sustainable development to building a resilient and inclusive post-pandemic world* (summary available [here](#)). The UNEA-5 proceedings report and all [background documentation](#), as well as a [press release](#) and a [recorded press conference](#) is available on the [UNEA-5 website](#). UNEA-5 also received 16 recorded video messages and 44 written statements from Member States, as well as 17 video recordings from international organizations, and 11 written statements from stakeholders. All statements are available [here](#).
10. Statistics from the registration platform Indico provide the following information for UNEA-5.1:
  - In total, 2043 delegates participated at the online UNEA-5, of which 48% were female and 52 % male.
  - 1038 delegates represented 151 Member States, 2 Observer States and 2 Members of Specialized agencies
  - 114 Member States participated at ministerial level; 87 Ministers and 27 Deputy Ministers.
  - 16 UN- and other intergovernmental organizations were represented by 101 participants.
  - 300 non-governmental organizations were represented by 667 participants.
  - 67 journalists attended UNEA-5.1 as participants and 570 journalists followed the live feed on the UNEA website.
  - Online UNEA-5 also broke new ground by reaching out to some 9.6 million people online (total number of viewers of UNEA-5 online content on web and social media) and over 2.1 million views of the UNEA-5 videos on social media and through YouTube streaming.
11. In order to maximize the impact of an online event, the secretariat sought to enhance online outreach of the event based on the UNEA-5 communication strategy. UNEA-5.1 generated 887 articles published in 582 outlets across 71 countries in 21 languages (partial list [here](#)). Regarding social media, almost 10 million people viewed UNEA-related content, resulting in 86,000 clicks on hyperlinks, and 2,140,000 views of UNEA videos (see [UNEA playlist](#)) incl [Making Peace with Nature](#), wrap up of [UNEA day 1](#), wrap of [UNEA day 2](#), opening video for the [Leadership Dialogues](#) and the [UNEP@50](#) video. A revamped and improved [UNEA website](#) launched in February 2021 received 80,000 pageviews, including 17,000 views of the [UNEA live blog](#). Also, 750 people completed a [UNEA poll](#).
12. All intergovernmental preparatory work for the online meeting of UNEA-5, starting already in March 2020, were undertaken exclusively in a virtual environment. Building on the leadership provided by the UNEA President and its Bureau, members of the Committee of Permanent Representatives and the UNEP secretariat, early consensus was forged among all relevant stakeholders on the format and expected outcomes of the session.

13. Key factors contributing to the successful outcome of UNEA-5.2 include effective and timely intergovernmental preparatory consultations and negotiations conducted under the Committee of Permanent Representatives; substantive inputs from regional ministerial forums and other events organized by UNEP regional offices; informal consultations on a political high-level message led by the UNEA President; and a number of independent stakeholder-led events and discussions held in the weeks preceding the Assembly.
14. The outcomes from UNEA-5.1 demonstrate that organizing online negotiations and formal UN meetings can, under certain conditions, deliver, in a legitimate and inclusive manner, impactful outcomes. As for any negotiation, the success or failure of an online negotiation is defined by political willingness to negotiate, albeit this may be more difficult to achieve in an online environment. In the case of UNEA-5.1, Member States collectively agreed to accept online negotiations for a limited number of targeted outcomes, while ensuring compliance with requirements relating to for example transparency, inclusivity, universal participation as framed by the UNEA rules of procedure.
15. A non-exhaustive list of some of the main challenges as well as opportunities experienced at UNEA-5.1 are listed in box 1 and 2, and a number of concrete lessons learned are listed in [annex I](#).

**Box 1: UNEA-5.1 – main challenges**

- a. Challenges relating to ensuring transparency, inclusivity, efficiency and universal participation, especially for negotiations and formal adoption of decisions;
- b. Occasional (often temporary) inability for Member States to take the floor, either due to instable internet connections or the use of an incorrect browser or IT equipment;
- c. At the outset of OECPR-5.1, the meeting experienced considerable technological difficulties relating to the meeting platform, leading to the set-up of a different online platform whereby the meeting could resume after about a 1-hour delay;
- d. Lack of personal contacts among delegates and informal meetings in support of smooth negotiations;
- e. “Screen fatigue”, creating a challenging work environment for delegates and the secretariat during long online sessions;
- f. At times inadequate interpretation services due to capacity and other technical limitations related to the meeting platform (Interprefy), especially for plenary meetings exceeding a threshold of 600 active participants;
- g. Concerns relating to the correct application of the UNEA rules of procedure (see annex II);
- h. Potential issues relating to IT security and potential access to online meetings by non-registered parties;
- i. Some delegations faced disadvantages due to impracticable different time zones for the online meetings.

**Box 2: UNEA-5.1 – main opportunities**

- a. Participation of Member States and Stakeholders who may not otherwise have had the means to participate and who do not have permanent representation in Nairobi;
- b. Putting all countries, including those who may not be in a position to send large delegations to UN meetings, on a more equal footing with regard to number of participants;
- c. Improved timeliness – all UNEA-5.1 meetings and most OECPR-5.1 meetings started in a timely manner;
- d. Availability of real time and user-friendly online on-screen editing for negotiations for all delegations;
- e. Simplified and flexible regional preparations by regional and political groups through online meetings;
- f. Significantly lower environmental footprint due to limited travel;
- g. Major cost savings due to limited travel and accommodation costs.

16. With regard to the application of the rules of procedure at UNEA-5.1, the secretariat has undertaken a detailed legal assessment of which demonstrates that there was full compliance with the rules and that there was no need to suspend or amend any of the rules for the purpose of conducting the meeting. The full legal assessment can be found in [annex II](#).
17. Experiences from UNEA-5 and OECP-5 indicate that the digital divide is real and, while particularly relevant for developing countries, is a wide-spread phenomena. Some representatives, both from developing and developed countries, experienced connectivity challenges related to, among other issues, incorrect choice of browser, lack of proper equipment (internet LAN cable, headset, laptop camera), electricity cuts, interruption in the internet service, etc. While some of these issues may be unavoidable for an online or hybrid meeting, it can be expected many of them can be effectively addressed in future through improved and more user-friendly platforms, more stable IT infrastructure, and increased know-how and experience among meeting delegates. This will require joint efforts from the UNEP secretariat and from participating Member States and Stakeholders.
18. Effective online meetings also require timely and accessible background documentation. For UNEA-5.1, more than 90% of the official working documents were issued on time and made available online in all official UN languages at least 6 weeks ahead of the meeting. Documents that were late were either very long and complicated documents, such as the proposed Medium-Term Strategy and the Programme of Work, or submitted late to the UN Office in Nairobi.
19. Online preparations at regional level, including through regional Ministerial Forums, contributed greatly to the success of UNEA-5, but there is a potential to create even stronger links across the national, regional and global levels in the preparations for future UNEA meetings, with the support of the UNEP Regional Offices.
20. With regard to stakeholder participation, many stakeholders underlined that they have less opportunity to influence the decision-making process during online meetings than at in-person meetings, with more limited opportunities to take the floor and to organize action-oriented or informative events in parallel with the formal meetings. The virtual format has also led to less coordinated interventions from Major Groups due to lack of early morning meetings and briefings. Following UNEA-5.1, stakeholders have therefore suggested that all of the nine Major Groups should be given at least one dedicated speaking slot each during both OECP-5 and UNEA. Major Groups and Stakeholders have also questioned the meaningfulness of providing written inputs in advance, including to official reports during OECP sessions in preparation of UNEA, as the impact of these written contributions have been perceived as limited and are also often not adequately reflected in the meeting reports.

### **III. Looking ahead towards UNEA 5.2 and OECP 5.2**

21. There is a strong collective wish from all delegations as well as the secretariat to organize in-person meetings again as soon as the restrictions related to the COVID-19 pandemic are lifted, as a precondition for a successful UNEA-5.2 and UNEP@50.
22. The use of online or hybrid (a combination of online and in-person meetings) is nevertheless likely to continue beyond the COVID-19 pandemic are lifted – for practical, environmental and financial reasons. Online or hybrid meetings can be especially effective for informal and/or consultative meetings of the UNEP's governing bodies. UNEP should continue to lead the way in this regard, building on the lessons learned and recommendations as listed in [Annex I](#).
23. To ensure effective online or hybrid meetings, both cultural and technological factors need to be effectively addressed. First, there must be a broad acceptance to negotiate online; secondly there is a need for user-friendly and reliable online meeting platforms allowing for the decision process to be transparent and inclusive, including through full interpretation services and application of the UNEA rules of procedure.

24. Meetings which do not require decisions-making or interpretation (such as CPR subcommittee meetings or secretariat briefings) may effectively take place online also when the restrictions relating to the COVID 19 pandemic are lifted, in part or in full. Delegations may then choose freely whether they wish to join for in-persons meetings in a designated UN meeting room, or attend remotely. Side-events for UNEP-led intergovernmental meetings could also be organized online, to benefit from increased flexibility and outreach, and lower financial and environmental costs.
25. Many UNEP-led regional consultative meetings could take a similar approach – for example by combining formal in-person/hybrid meetings with informal preparatory meetings held online. Stakeholder meetings facilitated by UNEP may also increasingly be organized as online or hybrid meetings, where possible with local participants meeting on-site while others connect virtually.
26. For formal meetings which require decision-making, in-person meetings will in most cases still be necessary. Nevertheless, it may be useful to explore the possibility of combining a more limited in-person presence (perhaps with a maximum number of members per delegation) and an effective online digital platform, to allow for broader and more flexible and effective participation, with minimal environmental impacts and cost – “gathering the few and reaching out to the millions”.

\* \* \*

## **Annexes**

Annex I: UNEA-5.1 – Lessons learned and recommendations for online or hybrid meetings

Annex II: UNEA-5.1 – Compliance with the Assembly’s Rules Of Procedure

## **ANNEX I: UNEA-5.1 - Lessons learned and recommendations for online or hybrid meetings**

1. Establish early intergovernmental consensus on the objective, framework, scope and content of an online or hybrid meeting, including a separation between consultations and substantive negotiations aiming for “hard” decision-making;
2. Ensure solid legal advice to respond to procedural questions about quorum, credentials, registration, voting, etc., to ensure that the UNEA rules of procedure are respected at all times;
3. Ensure thorough meeting preparations, including early and user-friendly invitations, background documentation, scenario notes, speakers lists, choreographies etc – to be made available online and where relevant in all official UN languages;
4. Identify reliable and use-friendly online platforms that ensure full simultaneous interpretation in official UN languages when necessary, and offer the possibility of organizing parallel formal and informal meetings and side events;
5. Ensure a secure online meeting environment as far as possible, with personalized and password-protected access so that active participation is restricted to registered and approved participants only;
6. Ensure as far as possible full and seamless integration between the meeting platform, the interpretation platform (if different from the meeting platform) and the registration platform (Indico);
7. Offer timely and numerous advance online trainings and video tutorials for delegates to familiarize themselves with the meeting platform, and open the online meeting at least 1 hour in advance to test connections;
8. Allocate sufficient human resources from the secretariat as well as the external online platform provider to ensure that adequate technical support is provided to delegations in advance as well as in-session, including through direct assistance to delegates encountering technical problems;
9. Ensure as far as possible that delegations use stable internet connections, apply the appropriate the correct browser compatible with the online meeting platform and wear a proper headset with inbuilt microphone (this is to a large extent beyond the control of the secretariat).
10. Explore further how to make online leadership and multistakeholder dialogues more interactive and engaging in an online format.
11. Support, through the UNEP regional offices, online regional preparations for various regional ministerial fora and other regional preparatory meetings to promote effective regional contributions to UNEA.
12. Initiate online registration early to avoid virtual bottlenecks and upgrade the Indico registration platform to manage higher numbers of simultaneous registrations.
13. Explore how to improve the opportunity for accredited stakeholders to participate actively and meaningfully in online or hybrid meetings, including consideration of providing speaking slots to all nine Major Groups at future meetings; of organizing dedicated dialogue sessions at the OECPR between Member States and Major Groups representatives; and of inter-generational dialogues and other events that specifically involve children and youth and Member States;
14. Continue to develop specific outreach strategies tailored for different types of media to increase awareness about global environment issues and to multiply the impact of UNEA, including by making use of the UNEP regional offices to share the outcomes to a broader audience.

## **ANNEX II: UNEA-5.1 – Compliance with the UNEA Rules of Procedure**

### **(I) Introduction**

The virtual fifth session of the United Nations Environment Assembly (“Assembly”) was organized on 22 and 23 February 2021 and was attended by thousands of online participants, including more than 1,500 delegates from 152 UN Member States represented by 87 Ministers of the Environment, and 27 Deputy Ministers.

The 5<sup>th</sup> session was broadcast live and was the first virtual online meeting of the UNEP governing body of in its history.

In moving the meeting to a virtual space, the UNEA President, Bureau, Member States and Observers were keen that the 5<sup>th</sup> session be conducted in accordance with the Rules of Procedure of the Assembly in order to ensure that Member States and Observers had the same rights, privileges and protections that are afforded to them in an in-person meeting.

The purpose of the present Annex is to do a rule-by-rule analysis that explains what measures were taken to ensure compliance with the relevant Rules of Procedure of the Assembly. As the analysis indicates, there was compliance with the Rules of Procedure and there was accordingly no need to suspend or amend any of the rules for the purpose of the 5<sup>th</sup> session. The analysis is limited to the plenary sessions of the Assembly and does not address the work of its subsidiary and inter-sessional body, the Committee of Permanent Representatives (“CPR”).

The Assembly’s Rules of Procedure set out the following requirements that would need to be met in order for a formal session that meets virtually to be properly conducted in accordance with the Rules: (i) a decision by the Assembly on the date of the opening of the session; (ii) formal notification of the session; (iii) communication of the session’s provisional agenda; (iv) the adoption of the agenda; (v) the submission of credentials; (vi) the assistance of the Bureau in the general conduct of the business of the session; (vii) the preparation for the session by the Secretariat, including the preparation and distribution of documents in official languages; (viii) the interpretation of statements and interventions into the six official languages of the session; (ix) the determination of quorum; (x) the ability of the President to maintain order at the session and ensure observance of the rules, including granting the right to speak; (xi) the right of Member States to make interventions, both procedural (in the form of a point of order) and substantive; (xii) the right of Member States/Parties to submit and to co-sponsor proposals that could be done electronically; (xiii) the consideration, discussion and adoption of proposals and amendments either by consensus or by “a majority of the members present and voting”; (xiv) the right of observers and stakeholders to be present and to make statements; and (xi) record keeping of the meeting and/or a video or sound recording of the meeting.

### **(II) Regular session – Rule 1**

Under this Rule, the Assembly shall normally hold one regular session every two years. There was compliance with this Rule as the Assembly met for its 5<sup>th</sup> session on 22 February 2021 just short of two years after the 4<sup>th</sup> session, that was held in Nairobi, between 11–15 March 2019.

### **(III) Date of opening of regular session - Rule 2**

Under Rule 2, each regular session of the Assembly shall be held, at a date fixed by the Assembly at its previous session in such a way, if practicable, as to enable the Economic and Social Council and the General Assembly to consider the report of UNEA in the same year.

There was compliance with Rule 2. The 4<sup>th</sup> session of the Assembly had decided that the 5<sup>th</sup> session would be held from 22 to 26 February 2021. The Assembly met virtually on 22 February and then, as explained below, decided in accordance with its Rules of Procedure to adjourn and to resume as the 5<sup>th</sup> session by convening at UNEP headquarters in Nairobi from 28 February to 2 March 2022 to conclude the consideration of its agenda.

### **(IV) Place of regular sessions - Rule 4**



In accordance with Rule 4, regular sessions shall be held at the headquarters of UNEP, unless otherwise decided by the Assembly at a previous session. There was compliance with Rule 4 as the meeting was convened virtually in Nairobi by the Secretariat.

**(V) Notification of date of opening – Rule 7**

Under Rule 7, the Executive Director is required to communicate the date of the first meeting of each regular session to, inter alia, all Member States Members of Specialized agencies, international organizations and non-governmental organizations, at least forty-two days in advance.

There was compliance with Rule 7. The revised notification of the 5<sup>th</sup> session of UNEA was issued on 21 December 2020. The notification provided that in accordance with the Assembly's decisions and the decisions of its Bureau and Joint Bureau meetings (the Assembly and Committee of Permanent Representatives) and taking into account the exceptional circumstances associated with COVID-19, the fifth session of the Assembly would convene online in Nairobi, Kenya, on 22 and 23 February 2021, and was expected to be adjourned thereafter, and to be resumed as an in-person meeting in Nairobi, Kenya, in February 2022 at a date to be decided at the online session.

**(VI) Adjournment of the session – Rule 8**

Under Rule 8, the Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date. In accordance with that Rule, the 5<sup>th</sup> session of the UN Environment Assembly decided to adjourn and to resume its session at its headquarters in Nairobi from 28 February to 2 March 2022 to conclude the consideration of its agenda. The decision, formally adopted by the Environment Assembly at its first plenary meeting as decision 5/3, defined, among other matters, the format and modalities of the resumed session in 2022.

**(VII) Communication of the provisional agenda – Rule 10**

Under Rule 10, after the Assembly has considered the provisional agenda for its next session, the Executive Director communicates the provisional agenda, to, inter alia, all Member States and members of the specialized agencies, international organizations and non-governmental organizations. There was compliance with Rule 10. Advance versions of the provisional and annotated agenda for the 5<sup>th</sup> session decided at the 4<sup>th</sup> session was communicated and made available on the Assembly's website.

**(VIII) Adoption of the agenda – Rule 12**

Under Rule 12, at the beginning of its session the Assembly adopts its agenda. There was compliance with Rule 12. The online meeting of the fifth session was opened by the President of the Assembly, Mr. Sveinung Rotevatn, Minister for Climate and Environment of Norway and heard opening statements from the President of the Assembly and the UNEP Executive Director. The Assembly then considered and adopted its agenda for the 5<sup>th</sup> session. The annotated provisional agenda was made available in the six official languages of the United Nations on the official website for the fifth session and on the United Nations Office in Nairobi ("UNON") Paper Smart portal. Subsequently, the President of the Assembly invited Member States to consider the proposed organization of work for the online meeting.

**(IX) Credentials – Rules 16 and 17**

Under Rule 16, each member of the Assembly shall be represented by an accredited representative, who may be accompanied by such alternate representatives and advisers as may be required. To that end, Rule 17 provides that the credentials of representatives and the names of alternate representatives and advisers should be submitted to the Executive Director before the first meeting. The Bureau of the Assembly examines the credentials and submits its report to the Assembly.

There was compliance with Rules 16 and 17. In accordance with the notification for the 5<sup>th</sup> session, Member States were invited to send to the Secretariat an advance scanned copy of their credentials, signed by either the Head of State or Government or Minister of Foreign Affairs as well as other formal communications containing the names of representatives to the Assembly, such as letters and notes verbales from the Permanent Missions. Delegates were informed that owing to the restricted access to the United Nations Office in Nairobi, original hard copies could not be received until further notice.

On the basis of the information received, the Secretariat prepared the report on credentials that was reviewed by the Bureau of the Assembly. At the first plenary session of the online meeting of the fifth session, a Vice Chair of the Assembly reported that the Bureau had received and examined the credentials in accordance with Rules 16 and 17. The Bureau recommended that the Assembly accept the credentials of the Member States. The Assembly took note of the report on credentials.

**(X) Bureau - Rule 18**

Under Rule 18, during the final meeting of a regular session, the Assembly shall elect a President, eight Vice-Presidents and a Rapporteur from among its members. These officers shall constitute the Bureau of the Assembly. The Bureau shall assist the President in the general conduct of business of UNEA. There was compliance with Rule 18. At the final meeting of the 4<sup>th</sup> session, the Assembly elected the Bureau for its 5<sup>th</sup> session. The Bureau met virtually on a regular basis between the 4<sup>th</sup> and 5<sup>th</sup> sessions and also conducted joint meetings with the Bureau of the Committee of Permanent Representatives for the purpose of assisting the President.

**(XI) Duties of the Executive Director – Rules 27 and 28**

Under Rule 27, the Executive Director is responsible for performing those functions in relation to the Assembly which she is required to undertake by General Assembly resolution 2997 (XXVII) on UNEP. There was compliance with this Rule and the Executive Director reported to the Assembly in the form of Executive Director reports that were issued in the six official languages.

Under Rule 28, the Executive Director of UNEP, or the Executive Director's representative, may make oral as well as written statements to the Assembly and its subsidiary organs. There was compliance with Rule 28 and the Executive Director made oral statements at the opening and closing of the Assembly.

**(XII) Duties of the Executive Director and the Secretariat: Rule 29**

Under Rule 29, the Executive Director is responsible for all the necessary arrangements for meetings of the Assembly including the preparation and distribution of documents at least forty-two days in advance of its sessions. There was the preparation, distribution and translation of a significant majority of the official pre-session working documents into the six official languages of the United Nations, that was made available on the website of the Assembly forty-two days in advance of the session. In the few cases where the pre-session documentation deadline was not met, this was not due to the online format of the Assembly. In addition, all in-session documentation was made available on the UNON Paper Smart portal.

**(XIII) Duties of the Secretariat – Rule 30**

Under Rule 30, the secretariat is responsible for interpreting speeches made at meetings, receiving, translating and circulating the resolutions, reports and relevant documentation of UNEA. There was compliance with Rule 30. The online platform for the Assembly, known as "Interprefy" provided for the simultaneous interpretation of all oral interventions, including the speeches of delegates into the six official languages of the United Nations. Most official pre-session working documents were provided forty-two days in advance of the meeting, including reports of the Executive Director on progress in the implementation of resolutions adopted at the previous sessions of the Assembly. In consultation with Member States, it was agreed that the Executive Director's report on "Strengthening Actions for Nature to achieve the Sustainable Development Goals", will be issued in advance of the resumed session of UNEA.5. Documents were made available on the website for the 5<sup>th</sup> session and on the UNON Paper Smart portal.

**(XIV) Quorum - Rule 32**

In accordance with Rule 32, the President may declare a meeting open and permit the debate to proceed when at least one third of the members of the Assembly are present. The presence of a majority of the members of the Assembly shall be required for any decision to be taken. There was compliance with Rule 32. The required quorum of sixty-five Member States present to start a meeting and ninety-seven Member States present for decisions to be taken was met. "Presence" for the purpose of a virtual meeting means the presence on-line as so indicated by the on-line platform.

**(XV) Powers of the President - Rule 33**

Under Rule 33, the President of the Assembly declares the opening and closing of each meeting of the Assembly, directs the discussion, ensures observance of the rules, accords the right to speak, puts questions to the vote and announces decisions. The President rules on points of order and, subject to the rules, has control over the proceedings. The President may propose to the Assembly the limitation of time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. The President may also propose the suspension or the adjournment of the meeting.

There was compliance with Rule 33 and through the online platform the President ensured the observance of the rules and had complete control over the meeting. The President accorded the right to speak to Member States as well as to regional and political groups, representatives of international organizations and non-governmental organizations. The President also proposed the limitation allowed to speakers that was five minutes for regional groups and three minutes for Member States.

The President, in accordance with Rule 8 proposed that the Assembly adjourn its session and resume at its headquarters in Nairobi from 28 February to 2 March 2022 in order to conclude the consideration of its agenda. Finally, the President proposed the adoption of all decisions during the session.

#### **(XVI) Speeches (Rule 35) and time limit on speeches (Rule 38).**

Under Rule 35, no person may address the Assembly without having previously obtained the permission of the President. The President calls upon speakers in the order in which they signify their desire to speak. There was compliance with Rule 35. The President maintained order and no person addressed the Assembly without previously having obtained the permission of the President.

Under Rule 38, the Assembly may limit the time allowed to each speaker and the number of times each person may speak on any question. There was compliance with Rule 38 and the President limited the time allotted to each speaker to three minutes for individual Member States and five minutes for regional and political groups.

#### **(XVII) Precedence - Rule 36**

Under Rule 36, the Chairperson, Vice-Chairperson or Rapporteur of a sessional committee or working party, or a designated representative of any subsidiary organ, may be accorded precedence in making an intervention. There was compliance with Rule 36. Pursuant to that Rule, at the first plenary session, the Chair of the Committee of Permanent Representatives reported to the Assembly on the work of the Committee, in particular the outcomes of the fifth meeting of the Open-ended Committee. All the documentation pertaining to meetings of the Open-ended Committee had been made available online.

#### **(XVIII) Points of order – rules 37, 40, 41 and 42**

In accordance with the Rules, Member States may make points of order concerning the conduct of proceedings. These include a point of order on the conduct of proceedings (Rule 37), a motion for the adjournment of debate (Rule 40), and motions for the closure of debate (Rule 41) and the suspension or adjournment of the meeting (Rule 42). No points of order were made at the session.

#### **(XIX) Closing of list of speakers – Rule 39**

Under Rule 39, during the course of a debate the President may announce the list of speakers and, with the consent of the Assembly, declare the list closed. The President may, however, accord the right of reply to any representative if, in the opinion of the President, a speech delivered after the President has declared the list closed renders this justified. There was compliance with Rule 39. At the appropriate time the President declared the list of speakers closed. There were no requests for the right of reply.

#### **(XX) Proposals and amendments- Rule 44**

Under Rule 44, proposals and amendments shall normally be introduced in writing and submitted to the Executive Director, who shall circulate copies in all the official languages of the Assembly. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Assembly unless copies of it have been circulated to all members not later than the day preceding the meeting. Subject to the consent of the

Assembly, the President may, however, permit the discussion and consideration of proposals or amendments even though these proposals or amendments have not been circulated or have only been circulated the same day.

There was compliance with Rule 44. Pursuant to the mandate accorded to the Committee of Permanent Representatives in Governing Council decision 27/2, the Committee prepared three draft decisions for consideration and adoption by the Assembly on: (i) Management of trust funds and earmarked contributions; (ii) Medium-term strategy for 2022–2025 and programme of work and budget for the biennium 2022–2023; and (iii) Adjournment and resumption of the fifth session of UNEA. These draft decisions prepared by the OECPR were circulated and made available prior to the beginning of the Assembly. On the basis of the report by the Chair of the Committee of Permanent Representatives, the President of the Assembly invited the Assembly to take action on these draft decisions at its first plenary meeting on the basis of the recommendations of the Committee of Permanent Representatives. There were no proposals or amendments submitted individually by Member States directly to the Assembly.

#### **(XXI) Decision-making and voting – Rule 49**

Under Rule 49, decisions of the Assembly shall be made by a majority of the members “present and voting”. However, in accordance with the practice of United Nations bodies as well as the Environment Assembly, decisions of the 5<sup>th</sup> session of the Assembly were taken by consensus. There was compliance with Rule 49. The requirement of “presence” was met through the online participation and presence of delegations. No objections or reservations were made to the adoption of decisions virtually by consensus.

#### **(XXII) Languages and interpretation - Rule 64**

Under Rule 64, Arabic, Chinese, English, French, Russian and Spanish shall be the official and working languages of UNEA. Speeches made in any of these languages shall be interpreted into the other languages of UNEA. Speeches made by delegations were interpreted into Arabic, Chinese, English, French, Russian and Spanish through the on-line platform, interprefy.

#### **(XXIII) Languages and distribution of resolutions, formal decisions and documents – Rule 65**

Under Rule 65 all resolutions, declarations, recommendations and other formal decisions of UNEA, as well as its reports to the General Assembly and other documents, shall be made available in the languages of the Assembly, and distributed by the secretariat to all those participating in the session. The printed text of such resolutions, declarations, recommendations and other formal decisions, as well as the reports of the Assembly to the General Assembly, shall be distributed after the close of the session to all States Members of the United Nations, Observers, intergovernmental and non-governmental organizations participating in the session.

In this case, all formal draft decisions of UNEA were made available in the six official languages on the website for the 5<sup>th</sup> session and the UNON Paper Smart portal before any action was taken on them. However, all communication with Member States and Observers was through e-mail or an online platform. Consequently, and in accordance with the current practice of the United Nations, no printed copies were provided to delegations.

#### **(XXIV) Public and Private meetings - Rule 67**

Under this Rule, the meetings of the Assembly shall be held in public unless the body concerned decides otherwise. If possible, such proceedings shall be broadcast to the wider public through electronic means. There was compliance with Rule 67. The proceedings of the plenary sessions were webcast to make them accessible to the public as well as to journalists and media representatives.

#### **(XXV) Participation by United Nations Specialized Agencies, inter-governmental organizations and non-governmental organizations- Rules 69 and 70**

Under Rule 69, representatives of specialized agencies, related organizations, intergovernmental organizations and regional economic integration organizations that have an interest in the environment may participate, without the right to vote, in the deliberations of the Assembly upon the invitation of the President

on questions within the scope of their activities. Written statements of these organizations shall be circulated by the secretariat.

Under Rule 70, international non-governmental organizations having an interest in the field of the environment, may designate representatives to sit as observers and upon the invitation of the President, and subject to the approval of the Assembly may make oral statements on matters within the scope of their activities. Written statements provided by these organizations shall be made available to the secretariat for distribution.

There was compliance with Rules 69 and 70. The official notification for the 5<sup>th</sup> session dated 21 December 2020 invited representatives of specialized agencies, United Nations entities, intergovernmental organizations, regional economic integration organizations and international non-governmental organizations to participate in the 5<sup>th</sup> session. Representatives of these entities were requested to communicate their intention to register online in advance. Upon being registered by the Secretariat, these organizations were sent a registration link that enabled them to participate in the meeting. Upon request, they were given the floor by the President, as appropriate, in order to make interventions. The Secretariat also provided a compilation of statements and recommendations by Major Groups and Stakeholders for consideration by the Assembly at its fifth session.

#### **(XXVI) Sound recordings of meetings- Rule 66**

Under Rule 66, sound recordings of the meetings of the Assembly shall be kept by the secretariat in accordance with the practice of the United Nations. There was compliance with Rule 66 and there is a sound recording of the meeting.

#### **(XXVII) Amendments and suspension of the rules of procedure**

There was no need to amend or suspend any of the rules as there was compliance with the relevant rules.