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United Nations Environment Assembly of the United Nations Environment Programme

Annual subcommittee meeting of the Committee of Permanent Representatives to the United Nations Environment Programme

Eighth meeting

Nairobi, 25 – 29 October 2021

Hybrid meeting

12:00 – 18:00 (GMT+3)

Agenda Item 4: Preparations for the resumed session of UNEA-5

(a) Consideration of key areas of importance in accordance with mandates from previous UNEA resolutions

This note, entitled “Possible key areas of importance for consideration at the resumed session of UNEA-5”, has been prepared as a background document for agenda item 5: Preparations for the resumed session of UNEA-5 under sub-item (a) Consideration of key areas of importance in accordance with mandates from previous UNEA resolutions.

It identifies a list of key areas that are expected to require action during the resumed session of UNEA-5, scheduled for 28 February – 2 March 2022. It has been updated according to the guidance received from the Bureau of the Committee of Permanent Representatives at its meeting on 1 September, and it has been further considered at the 155th meeting of the Committee on 28 September. In summary, the following key areas are listed:

- Provisional agenda, date and venue for UNEA-6.
- Election of a President and Bureau for of UNEA-6.
- Finalization of the preparation of a draft political declaration pursuant to General Assembly resolution 73/333.
- Input to the International meeting entitled “Stockholm+50: a healthy planet for the prosperity of all – our responsibility, our opportunity”.
- The outcome of the consensual process for review by the CPR.
- The outcome of the ad hoc expert group on marine litter and microplastics.
- The future of the Global Environment Outlook process.
- The future of the GPA for the Protection of the Marine Environment from Land-based Activities.
- The proposed Action plan for the implementation of paragraph 88 of the Rio+20 Outcome.
- Logo/visual identity of the United Nations Environment Programme.

The list of these key areas is not exhaustive, nor is it a fixed list. Member States may either wish to add to the list, or to subtract from it. The final choice on the appropriate scope and number of resolutions and

decisions to be presented for final consideration and possible adoption at UNEA 5.2 will naturally lie with Member States.

In this context, further consideration may be given to paragraph 4 of the note, which reads: *“Taking into account that the resumed session of UNEA-5 will be a three-day meeting, it is recommended that Member States prioritize a manageable and streamlined set of resolutions and decisions to be adopted at the resumed session.”*

Member States are invited to consider the list of key areas note as a starting point for the identification of an ambitious and balanced package of draft resolutions and decisions for UNEA-5.2.

Possible key areas of importance for consideration at the resumed session of UNEA-5

A. Introduction

1. This note is prepared in preparation for the 8th meeting of the annual subcommittee, scheduled for 25-29 October 2021, with a view to identify a list of areas which are expected to require action during the resumed session of UNEA-5, scheduled for 28 February – 2 March 2022.
2. At the [online session of the 5th session of the United Nations Environment Assembly](#) (UNEA-5.1) three decisions were adopted:
 - Decision 5/1: Management of trust funds and earmarked contributions
 - Decision 5/2: Medium-term strategy for 2022–2025 and programme of work and budget for the biennium 2022–2023
 - Decision 5/3: Adjournment and resumption of the fifth session of the United Nations Environment Assembly (UNEA).
3. In [UNEA decision 5/3](#), Member States also decided inter alia:
 - (i) To adjourn the fifth session of UNEA and to resume the session by convening at its headquarters in Nairobi from 28 February to 2 March 2022 to conclude the consideration of its [agenda](#);
 - (ii) That the Open-ended Committee of Permanent Representatives will resume its fifth session from 21 to 25 February 2022, and requests the Committee of Permanent Representatives to decide on the format and agenda of that meeting;
 - (iii) To take note of the reports of the Executive Director of the United Nations Environment Programme submitted to UNEA 5 on progress achieved in the implementation of resolutions of the Assembly and to review those reports at the eighth annual subcommittee meeting in 2021 and defer taking action thereon until the resumed meeting of UNEA 5 in February and March 2022; and
 - (iv) To finalize implementation of the mandate entrusted to UNEA by General Assembly resolution 73/333 of 30 August 2019 to prepare a political declaration for a United Nations high-level meeting.
4. Taking into account that the resumed session of UNEA-5 will be a three-day meeting, it is recommended that Member States prioritize a manageable and streamlined set of resolutions and decisions to be adopted at the resumed session.
5. The Committee will, at a future date, decide on the on the format and agenda of the OECPR as decided by UNEA Decision 5.3.
6. As far as the submission of draft resolution by Member States to UNEA is concerned, Rule 44 of the UNEA Rules of Procedure (“Rules”) provides that, “Proposals and amendments shall normally be introduced in writing and submitted to the Executive Director, who shall circulate copies to the members in all the official languages of the United Nations Environment Assembly. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the United Nations Environment 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 United Nations Environment 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.”
7. In this regard, operative paragraph 9 of UNEA Decision 5/3, “Strongly encourages Member States, without prejudice to the rules of procedure, in particular rule 44, to submit draft resolutions for consideration by the Environment Assembly at the resumed meeting of the fifth session at an early stage, *preferably at least eight weeks in advance of the resumed meeting of the fifth session of the Open-ended Committee of Permanent Representatives*, to allow for a productive period between the online and resumed meetings of the fifth session of the Environment Assembly, taking into account the limited time and resources available for the negotiation of such draft resolutions.” (Emphasis added).

8. Accordingly, Member States are requested to submit draft resolutions by no later than **20 December 2021**. Member States may also wish to give an early indication to the CPR on the subjects or titles of the draft resolutions that they may wish to introduce.
9. With regard to consideration and negotiation of draft resolutions, the CPR recommended, at its extraordinary meeting on 23 June 2021, that the Vice-Chair of the Committee “representing the Latin American and Caribbean States be tasked with the coordination of the negotiating processes of draft decisions and draft resolutions to be submitted for the consideration of the Environment Assembly at its resumed fifth session, including during the resumed fifth session of the Open-Ended Committee of Permanent Representatives, and that the Bureau of the United Nations Environment Assembly consider designating a representative of the Latin American and Caribbean States to chair a sessional committee of the whole, if established, at the fifth session of the Environment Assembly.”
10. As far as the submission of draft resolutions are concerned, pursuant to the relevant mandates of the General Assembly as well as the UNEA Rules, the resumed session of UNEA-5 (UNEA 5.2) will need to take the following decisions:
 - i. In accordance with Rules 2 and 9 respectively of the Rules, UNEA-UNEA 5.2 will need to adopt a **decision on the provisional agenda, date and venue of the sixth session of UNEA**. It should be recalled that the Committee, at its extraordinary meeting of 23 June 2021, recommended that UNEA 5.2 decide that, on an exceptional basis and without creating a precedent, its sixth session shall be held no earlier than February 2024 to ensure a full two-year term for the Presidency of the sixth session.
 - ii. In accordance with Rule 18 of the Rules there needs to be an **election of the President and Bureau of UNEA 6**.
 - iii. UNEA will also be expected to **finalize the preparation of a draft political declaration pursuant to General Assembly resolution 73/333**. In this connection, the CPR at its extraordinary meeting of 23 June decided to recommend that the Vice-Chair representing the Eastern European States and the Rapporteur representing the Asia-Pacific States continue to be entrusted with the co-facilitation of the informal consultations, under the auspices of the Committee, on the implementation of General Assembly resolution 73/333.
 - iv. UNEA may also wish to provide **input to the International meeting entitled “Stockholm+50: a healthy planet for the prosperity of all – our responsibility, our opportunity”**, to be organized in Stockholm on 2 and 3 June 2022, pursuant to General Assembly resolution 75/280 of 25 May 2021. This is a meeting that is convened under the auspices of the General Assembly. In paragraph 7 of that resolution, the General Assembly invited UNEA at its resumed fifth session, in 2022, including through the CPR, to provide input leading up to Stockholm+50, as appropriate. Accordingly, both the CPR and UNEA will have to decide whether and how to provide input to this international meeting.
11. In addition, Member States may wish to consider adopting resolutions resulting from existing intergovernmental processes, including those that have completed their work as well as other decisions relating to UNEP’s ongoing activities. These may include the following resolutions and decisions.
 - v. Draft resolution on the [outcome of the consensual process for review](#) by the Committee of Permanent Representatives, as mandated by [UNEA decision 4/2, paragraphs 9-13](#).
 - vi. Draft resolution on the **outcome of the ad hoc expert group on marine litter and microplastics**, on the basis of a report from the Executive Director ([UNEP/EA.5/8](#)), as mandated by [UNEA resolution 4/6](#).
 - vii. Draft resolution on **the future of the Global Environment Outlook process**, on the basis of a progress report from the Executive Director ([UNEP/EA.5/17](#)) and subsequent work undertaken by a steering committee established by [UNEA resolution 4/23](#).
 - viii. Draft resolution on the future of the [Global Programme of Action for the Protection of the Marine Environment from Land-based Activities](#) (GPA), on the basis of the outcome from a GPA Intergovernmental Review Meeting which is yet to be convened.
 - ix. Draft decision on the proposed **Action plan for the implementation of subparagraphs (a)–(h) of paragraph 88** of the outcome document of the United Nations Conference on Sustainable Development ([UNEP/EA.5/23](#)), as mandated by [UNEA decision 4/2](#), paragraph

- 14.
- x. Draft decision on the **logo/visual identity of the United Nations Environment Programme**, on the basis of a proposal from the Executive Director.
12. Finally, in paragraph 10 of UNEA Decision 5/3 Member States decided “to convene a special session of the United Nations Environment Assembly to commemorate the fiftieth anniversary of the establishment of the United Nations Environment Programme, to be held for two days on 3 and 4 March 2022 in Nairobi, in conjunction with the resumed fifth session of the Environment Assembly, under the leadership of the Presidency and Bureau of the sixth session of the Environment Assembly.”
13. UNEA 5, which is a regular session, is not expected to adopt any decisions related to the special session, which under the Rules of Procedure is a separate session. However, the Committee of Permanent Representatives has a preparatory role in making preparations for a UNEA special session, such as the preparation of the provisional agenda and programme of work. In this context, the Committee recommended, at its extraordinary meeting on 23 June 2021, that the Vice-Chair representing the African States be tasked with facilitating the preparations of the UNEA special session.
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