

Joint retreat of the Bureaux of the United Nations Environment Assembly
and the Committee of Permanent Representatives
6 and 7 July 2023
In-person

Agenda item 2c: Process for submission of draft resolutions and decisions for UNEA-6

This note, entitled “Guidance to Member States on the submission of draft resolutions and decisions to the sixth session of the United Nations Environment Assembly”, has been developed by the Secretariat for the consideration of and possible guidance by the Bureaux of the United Nations Environment Assembly and the Committee of Permanent Representatives, under agenda item 2c [Process for submission of draft resolutions and decisions for UNEA-6], at the joint retreat of the Bureaux of the UN Environment Assembly and the Committee of Permanent Representatives, to be held in Tangier, Morocco on 6 and 7 July 2023.

Guidance to Member States on the submission of draft resolutions and decisions to the sixth session of the United Nations Environment Assembly

A. Background

1. This note outlines draft guidance to Member States on the submission of draft resolutions and decision to the sixth session of the United Nations Environment Assembly (UNEA-6), to be held from 26 February to 1 March 2024. It builds on the UNEA rules of procedure (in particular rule 44), guidance provided in UNEA decision 5/4, the outcome of the CPR-based review (see below) as endorsed at UNEA-5.2, previous guidance issued by the UNEA Bureau, and best practice.

B. Existing guidelines

2. The relevant paragraphs in UNEA decision 5/4 and in the outcome of the CPR-based review read as follows.

[Decision 5/4](#) Provisional agenda, date and venue of the sixth session of the United Nations Environment Assembly, paragraph 10

“10. Strongly encourages Member States to submit draft resolutions for consideration by the United Nations Environment Assembly at its sixth session (26 February to 1 March 2023), preferably at least ten weeks in advance of the sixth meeting of the Open-ended Committee of Permanent Representatives (19 to 23 February 2023), taking into account the theme of the sixth session of the Environment Assembly and the limited time and resources available for the negotiation of the resolutions during the sixth meeting of the Open-ended Committee of Permanent Representatives and the sixth session of the Environment Assembly, without prejudice to the rules of procedure, in particular rule 44.”

[Outcome of the stocktaking meeting for the process for review by the Committee of Permanent Representatives](#)

"5. Under the guidance of the UNEA Bureau and with the support from the Secretariat, minimize as much as possible the number of formal and informal negotiation groups working in parallel at the OECPR and UNEA, paragraphs 5 and 13.

“13. Without prejudice to the UNEA Rules of Procedure, in particular rule 44, and to relevant decisions by the Governing Council of UNEP and by UNEA, encourage an early, inclusive and transparent inter-sessional preparatory process with appropriate Secretariat support for the timely submission, consideration and negotiation of draft resolutions and decisions tabled for adoption at future sessions of UNEA by recommending Member States to:

- (a) *Devote at least half a day of the meeting of the annual subcommittee in the year preceding a UNEA session, to identify areas suitable for the tabling of draft resolutions and decisions and indicate, where possible, early intentions to submit draft resolutions and decisions.*

- (b) *If delegations indicate their intention to submit draft resolutions on a same or similar topic, **engage with each other to foster collaboration, co-sponsorship, consolidation of the proposals, avoiding duplication of work.***
- (c) *Include a **standard agenda item in all CPR meetings** in the period between the meeting of the annual subcommittee and the OECPR, whereby Member States and the Secretariat are invited to provide status updates to the Committee on the development and/or preparation of draft resolutions and decisions.*
- (d) *Include a **standard agenda item in joint meetings of the UNEA and CPR Bureaux** between the meeting of the annual subcommittee and the OECPR to facilitate, in **close consultation with the CPR, the identification of facilitators to chair the informal consultations** on the draft resolutions and decisions as soon as possible for their in-depth consideration and to make efficient use of the intersessional period.*
- (e) *Respect, as far as possible, the following guidance:*
 - i. ***Announce the intention to table a draft resolution or decision at the annual subcommittee or at least 12 weeks in advance of UNEA;***
 - ii. ***Provide a concept note for the draft resolution** that explains the rationale and context behind the initiative, which **may include relevant information on the UNEA theme, UNEP's Programme of Work, the Sustainable Development Goals, and emerging global issues that may have an impact on the environment.***
 - iii. ***Submit a draft resolution or a decision at least 10 weeks in advance of UNEA, for further consideration and in-depth discussion by the CPR and its working groups in preparation for the OECPR.***

Taking into account different working processes of Member States, draft resolutions and decisions shall be given the same status and recognition regardless of the timing of their submission or communication of the intention to submit draft resolutions or decisions.”

C. Timeline for submission of draft resolutions and decisions

3. Without prejudice to the UNEA rules of procedure, in particular rule 44, and taking into account the guidelines outline above, the UNEA-6 Bureau invites Member States to apply the following timelines for the submission of draft resolutions and decisions to UNEA-6:

| Date | Deadlines |
|---|--|
| <p>20 – 24 November 2023</p> <p>The 10th annual subcommittee meeting</p> | <ul style="list-style-type: none"> • Member States in a position to do so may announce the intention to submit draft resolutions or decisions. • Draft resolutions or decisions may also be submitted in full, if ready. • A concept note (as referred to in the CPR-based review, subparagraph 13 (e) (ii)) should accompany the announcement or the submission of the draft resolution/decision. Such a concept note can be presented before a draft resolution or decision is submitted. |
| <p>4 December 2023 <i>(12 weeks in advance of UNEA-6 as indicated in the CPR-based review)</i></p> | <ul style="list-style-type: none"> • Recommended final deadline for announcing the intention to submit draft resolution or decision (as referred to in subparagraph 13 (e) (i) of the CPR-based review) • Draft resolutions or decisions may also be submitted in full, if ready. • A concept note (as referred to in subparagraph 13 (e) (ii) of the CPR-based review) should accompany the announcement or the submission of draft resolution/decision. |
| <p>11 December 2023 <i>(10 weeks in advance of OECP-6 pursuant to UNEA decision 5/4)</i></p> | <p>Initial recommended deadline to submit draft resolutions and decisions (in accordance with UNEA decision 5/4)</p> <p><i>Additional information on the procedure for submission is provided below.</i></p> |
| <p>18 December 2023 <i>(10 weeks in advance of UNEA-6 as indicated in the CPR-based review)</i></p> | <p>Final recommended deadline to submit draft resolutions and decisions (in accordance with subparagraph 13 (e) (iii) of the CPR-based review)</p> <p><i>Additional information on the procedure for submission is provided below.</i></p> |

D. Procedure for the submission of draft resolutions and decisions

4. Without prejudice to the UNEA rules of procedure and based on the guidance provided in UNEA decision 5/5 as well as past practices, the following procedure is outlined for Member States for the submission of draft resolutions and decisions.
 - i. All draft resolutions and decisions should be **submitted by the main sponsor to the Secretariat through the following email** address:
unea-draftresolutions@un.org.
 - ii. The submission should be accompanied by **a note verbale** from the Member State.
 - iii. The submission should include a **word version of the draft**.
 - iv. The submission should indicate the:
 - a) **Main sponsor** (including contact details for the focal point); and
 - b) Additional **co-sponsors** (if any).
 - c) Other Member States wishing to sponsor the draft will have to liaise with the main sponsor(s) to be included as additional co-sponsors. The main sponsor(s) will then inform the secretariat of additional co-sponsors to update the listing of co-sponsors on the Resolutions portal.
 - v. Further to the request contained in subparagraph 13 (e) (ii) of the Outcome of the CPR-based review, a **concept note** that complements the announcement or submission of draft resolutions/decisions should provide the following information, as relevant:
 - a) Rationale and context.
 - b) Relation to the UNEA-6 theme.
 - c) Relation to UNEP's 2022-25 programme of work.
 - d) The Sustainable Development Goals.
 - e) Emerging global issues that may have an impact on the environment.
 - f) Relation to previously adopted UNEA and Governing Council resolutions and decisions.
 - g) Relation to decisions and initiatives in other UN fora.
 - h) Possible financial requirements and implications, if adopted, and possible sources of funding for the implementation of the resolution.
 - i) Identification of the main stakeholders for the implementation, if adopted (for example Member States, intergovernmental organizations, the UN Environment Programme; the UN system, major groups and stakeholders etc).
 - vi. Submitted draft resolutions/decisions will be made available on the “**UNEA Resolutions portal**” (previously referred to as the “Papersmart portal”), which is a password-protected portal, which will include all relevant information including focal points for the main sponsor of the resolution, co-sponsors, background documentation, secretariat technical notes, and different versions of the draft.

E. Technical note prepared by the UNEP secretariat

5. Within 2-3 weeks of the submission of the draft, the UNEP secretariat will prepare a “**technical note**” to facilitate the consultations and negotiation, and it make available on the Resolutions portal.
6. The technical note will provide the following information:
 - a) The suggested requests for UNEP to implement.
 - b) Relation to UNEP’s Medium-Term Strategy and Programme of Work and to existing UNEA resolutions/decisions, as relevant.
 - c) An initial legal assessment.
 - d) Preliminary budget implications outlining for implementing the draft.
 - e) Secretariat focal points.

F. Appointment of the co-facilitators and holding of the informal consultations

7. Following the submission of the draft resolutions and decisions, the Bureaux of the Environment Assembly and the Committee of Permanent Representatives will, in consultation with the regional groups, appoint Nairobi-based delegates as co-facilitators to lead the informal consultations, consider possible clustering of similar or related drafts, and propose a schedule of CPR subcommittee meetings for the consultations in the lead-up to sixth meeting of the Open-ended CPR.
8. The announcement of the appointment of the co-facilitators and information on possible clustering of proposals will be made, as soon as possible, through a joint letter to all Member States from the President of the Environment Assembly and the Chair of the Committee of Permanent Representatives.

G. Intersessional period

9. During the intersessional period after the annual subcommittee meeting and in advance of the sixth meeting of the Open-ended CPR, the appointed co-facilitators will convene open, inclusive and transparent informal consultations in-person and online.
10. The informal consultations will be held under the auspices of the CPR, whereby a standard agenda item entitled “Preparations for the UN Environment Assembly” will be included in the regular and subcommittee meetings of the Committee of Permanent Representatives and will be announced through the online roadmap of the UNEP Governing Bodies.
11. In line with the request in the CPR-based review for the facilitators of draft resolutions and decisions to chair informal consultations as soon as possible for in-depth consideration of drafts and to make efficient use of the intersessional period, the UNEA and CPR Bureaux are expected to determine how best to optimize the use of the intersessional period to facilitate the work of the Open-ended CPR, including the possibility of organizing dedicated

question-and-answer sessions on the drafts between the co-sponsors and interested delegations.

H. Consideration of draft resolutions and decisions

12. In keeping with its mandate, as set out in Governing Council decision 27/2 and the Environment Assembly decision 5/4, the Committee of Permanent Representatives will conduct informal consultations on the draft resolutions and decisions for adoption by the Assembly, without prejudice to the rules of procedure, while final negotiations will take place during the sixth meeting of the Open-ended CPR and, if needed, during the Environment Assembly.
13. Once consensus has been reached on a draft resolution or decision during the meeting of the Open-ended CPR, the Committee will take a decision to transmit the draft for adoption by the Environment Assembly, without prejudice to Member States' rights. For any draft resolutions or decisions that require additional consultations, the Committee will decide to transmit them to the Environment Assembly for final consideration in the Committee of the Whole.

I. Issuance of the draft resolutions/decisions

14. If possible, draft resolutions and decisions will be edited and translated by the United Nations Office at Nairobi into the six official languages of the United Nations prior to formal adoption and will be made available on the UNEA Resolutions portal.

J. Documentation to the United Nations Environment Assembly

15. A list of working and information documents to UNEA-6 is available on the link: <https://www.unep.org/environmentassembly/unea-6-documents>. It is expected that "advance unedited" English versions of these working documents will be made available to delegations in advance of the 10th annual subcommittee meeting of the CPR, to inform Member States in their preparations of possible draft resolutions/decisions for UNEA-6.
16. Resolutions and decisions adopted by UNEA are available on the [Resolutions portal](#).

Annex

Who can submit a draft resolution or a draft decision?

“Tabling” is a technical term for formally submitting a draft resolution/decision text to the Environment Assembly. The UNEA Rules of Procedure refer to draft resolutions and decisions as “proposals”.

Member States and members of specialized agencies (rule 68), the President of the Environment Assembly (e.g. the draft ministerial declaration), or the Chair of the Committee of Permanent Representatives (following conclusion of consultations in the Open-ended CPR), can submit/table draft resolutions/decisions. When a group of Member States tables a draft resolution/decision, it is usually done by the group’s chair on behalf of the group. As per established practice of the Environment Assembly, the European Union may table draft resolutions/decisions as agreed by the States members of the European Union.

Sponsor or main sponsor

The Member State initiating and drafting a draft resolution or decision text is called the “sponsor” of the resolution/decision, or the “main sponsor” if there are co-sponsors.

Co-sponsoring

Upon invitation of the main sponsor, Member States can formally express their support for a draft resolution/decision by “co-sponsoring”. There are no co-sponsors of Environment Assembly resolutions/decisions submitted by the President of the Environment Assembly or submitted by the Chair of the Committee of Permanent Representatives.

Terminology – Resolution or Decision:

Both are equal in legislative weight and require formal adoption by the intergovernmental body.

The main distinctions are in format and procedure, as follows:

Resolution:

- *A resolution generally has two distinct sections – the “preambular” followed by the “operative”.*
- *Preambular paragraphs begin with an italicized gerund (e.g. recalling, taking note of, having considered, welcoming.) and are normally referred as “first preambular”, “second preambular” and so forth. The introductory paragraphs may be referred to as “the chapeau”.*
- *Operative paragraphs begin with an italicized active verb in the present tense (e.g. endorses, calls upon, reaffirms, invites) and are numbered sequentially. They are referred to by their cardinal number.*
- *A resolution may also contain sub-paragraphs, with (a), (b), (c) etc. used to denote them.*

Decision:

- *A decision has no preambular section but may have introductory paragraphs.*
- *Should a decision need to be divided into separate sub-paragraphs, they are indicated as (a), (b), (c) etc. following a single operative verb – decides, endorses, etc. – that is always in the present tense.*