

Committee of Permanent Representatives  
Subcommittee Meeting  
Nairobi, 15 October 2024  
13:00 – 16:00 (GMT+3)  
Hybrid meeting  
Conference Room 4 (in person)  
and Microsoft Teams (online)

### Chair's Summary

#### **Agenda item 1: Opening of the meeting and adoption of the agenda.**

1. H.E. Mr. Wael Nasreldin Attiya, Vice Chair of the Committee of Permanent Representatives (CPR), Ambassador and Permanent Representative of the Arab Republic of Egypt to the United Nations Environment Programme, opened the meeting.
2. The [agenda](#) was adopted.

#### **Agenda item 2: Review of UNEP thematic programmes.**

3. The Secretariat provided a review of the following UNEP thematic programme: "[Environmental Governance](#)".
4. Delegations<sup>1</sup> that took the floor welcomed the presentation and provided the following comments in summary:
  - a. Considered that drought, land degradation, desertification is insufficiently covered and requested UNEP to address this issue in the next Programme of Work.
  - b. Requested further information on:
    - i. Concrete examples of support provided under key programmes, including the [Fifth Montevideo Programme for the Development and Periodic Review of Environmental Law](#) (Montevideo Programme).
    - ii. Examples of how activities under the Montevideo Programme are aligned with regional priorities.
    - iii. The current funding status and future funding needs for the Montevideo Programme, as well as for the [OzonAction](#) Programme.
  - c. Requested further information on UNEP's activities to advance human rights relating to a healthy environment as well as human right to development in accordance with the Preamble of the 1972 Declaration of the United Nations Conference on the Human Environment.
  - d. Recommended that the Secretariat launches projects that seek to strike the balance between the principles of right to a healthy environment and the right to development.
  - e. Recommended that the environmental governance programme supports climate finance, green energy in Africa, biodiversity conservation through Nature-based Solutions, and youth engagement.
  - f. Highlighted the need for targeted capacity-building programs tailored to regional challenges, with specific emphasis on Africa's unique vulnerabilities to environmental risks and green energy transitions.

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<sup>1</sup> Egypt on behalf of G77 and China, Somalia on behalf of the Group of African States, European Union, Norway, Chile, Portugal, Morocco, Finland, Kenya, Colombia, Canada, Netherlands (the Kingdom of the).

- g. Underlined the need to prepare a report on the nexus between animal welfare, environment, and sustainable development, referencing [the 8<sup>th</sup> Animal Welfare Conference](#), which took place from 30 September to 2 October 2024 in Nairobi, Kenya.
  - h. Noted that tools and reports under the programme are not always referenced in relevant decisions and resolutions of UNEP's governing bodies, and recommended UNEP to address this issue.
  - i. Emphasized the importance of access to digital tools and technologies, such as artificial intelligence (AI) for effective environmental governance, and proposed to hold a briefing to the subcommittee meeting on this matter.
  - j. Sought clarification on actions taken to enhance cooperation and synergies between Multilateral Environmental Agreements (MEAs), and to consider this matter in the next Medium-Term Strategy (MTS) for the period 2026-2029.
  - k. Welcomed the use of the Environment Fund to support foundational programmes such as environmental governance, and requested clarification on the funding allocation between core and earmarked sources.
  - l. Requested information on how the environmental governance programme partners with universities to facilitate implementation.
5. In response, the Secretariat thanked delegations for their comments and provided the following clarifications:
  - a. Explained UNEP's role in combating land degradation and desertification is substantively led by and coordinated under the [nature action subprogramme](#), as well as through partnerships with United Nations Convention to Combat Desertification, and under the "Bern Process" which supports the implementation of biodiversity related conventions.
  - b. Outlined ongoing activities relating to the implementation of UNEA resolutions focusing on synergies among MEAs, such as facilitating cooperation between MEA focal points and Montevideo Programme focal points, and several country-based initiatives.
  - c. Highlighted that the programme tailors its activities to regional priorities through working in close coordination and collaboration with regional subprogramme coordinators in UNEP regional offices.
  - d. Provided examples of programmatic supporting, including activities to strengthen legal frameworks on climate change and support to the development of air quality legislation and policy, as well as support to judiciaries.
  - e. Provided information on the annual funding requirements for the Montevideo Programme.
  - f. Explained the Law Division's role in hosting the [OzonAction](#) Programme and shared information on its funding status.
  - g. Outlined UNEP's work on advancing human rights obligations relating to a healthy environment, including work on promoting protection of environmental defenders as guided by UNEP's policy on the same.
  - h. Committed to incorporate lessons learned from the programme into the development of the next MTS.
  - i. Confirmed that UNEP is enhancing governance through digital transformation initiatives, such as reporting tools that facilitate MEAs implementation, while recognizing the need to balance the opportunities and challenges posed by technologies like AI in governance efforts, and noted that this work is coordinated through and with the digital transformation programme.

- j. Emphasized the vital role of universities as important stakeholders in the environment governance programme, including contributing to the [Global Climate Litigation Report](#), and future plans to strengthen ties with academia further and engage them in identifying and addressing emerging environmental governance issues.

### Agenda item 3: Overview of the audit process in UNEP.

6. The Secretariat provided an [overview of the audit process in UNEP](#).
7. Delegations<sup>2</sup> that took the floor welcomed the presentation and provided the following comments in summary:
  - a. Requested clarification on why the target dates for the implementation of recommendations have such an increase in 2023 and 2024.
  - b. Sought further explanation regarding the main challenges hindering the implementation of outstanding audit recommendations and inquired about UNEP's plans to address these challenges.
  - c. Asked about the effectiveness of the escalation mechanism for overdue recommendations, particularly in ensuring timely implementation, and sought details on the flagging system for tracking overdue recommendations.
  - d. Requested further clarity on the financial implications of [recommendation 12](#) proposed by delegations during the [11<sup>th</sup> Annual Subcommittee Meeting of the CPR](#) took place from 8 July to 12 July 2024, which “Requests the Secretariat to prioritize the implementation of all outstanding recommendations contained in audits, investigations and evaluation reports.”
  - e. Requested more time to review the proposed timeline of CPR reporting on audits and evaluation as this information was not included in the presentation availed prior to the meeting. **This information was subsequently made available through the following [link](#).**
  - f. Inquired about the use of consultants for the follow-up on recommendations and the rationale behind hiring a consultant as opposed to a temporary or regular staff member.
8. In response, the Secretariat thanked delegations for their comments and provided the following clarifications:
  - a. Clarified that the table on page five reflects outstanding recommendations and their targeted implementation year, and further noted that a high number of such outstanding recommendations have a target implementation dates in 2023 to 2024, hence the increase.
  - b. Provided a detailed response on the escalation mechanism, noting that the audit indicator is included in the Quarterly Business Report, which is a quarterly report presented to UNEP's Senior Management Team, flagging recommendations which are approaching their due date for implementation, and confirmed that outstanding recommendations are escalated to UNEP's senior management when passing the target date.
  - c. Reassured that the flagging system is operational and is effectively bringing attention to overdue recommendations.
  - d. Addressed the financial implications of [recommendation 12](#) by explaining that a standing budget of USD 30,000, equivalent of about 6 months consultancy contract,

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<sup>2</sup> Egypt on behalf of G77 and China, Portugal, European Union, United States of America, Netherlands (the Kingdom of the), Finland.

would enable UNEP to quickly hire experts, when needed, to support in implementation of a specific recommendation.

**Agenda item 4: Briefing on the preparations for INC-5 on plastic pollution.**

9. The Secretariat provided a [briefing](#) on the preparations for [the fifth session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment \(INC-5\)](#), which is scheduled to take place from 25 November - 1 December 2024 in Busan, Republic of Korea.
10. Delegations<sup>3</sup> that took the floor welcomed the presentation and provided the following comments in summary:
  - a. Called on all Member States to continue engaging constructively in the spirit of collaboration and compromise, to find consensus and agree on the text of the legally binding instrument on plastic pollution, including in the marine environment at INC-5, as per the [UNEA resolution 5/14](#), and reiterated the imperative of concluding the negotiations by the end of 2024.
  - b. Highlighted the importance of agreeing to an ambitious and balanced document, with some emphasizing the need for consistent ambition throughout, while others stressing the importance of aligning the agreement with the principles of the [Rio Declaration on Environment and Development](#).
  - c. Requested the timely circulation of all meeting documents and called for a streamlined and predictable organization of work during INC-5, reiterated that no more than two meetings should be held in parallel at INC-5, and stressed the importance to move into negotiations promptly.
  - d. Noted that the informal Heads of Delegation meeting took place in from 30 September to 1 October 2024 in Nairobi, Kenya, created a good momentum and showed a possible path forward to finalize the negotiations, emphasizing that the compilation document and the non-paper being prepared by the INC Chair should be complimentary to each other.
  - e. Urged the INC Secretariat to take the necessary steps to ensure broad participation in the sessions held in Nairobi, in a manner that is inclusive and transparent especially the participation of Nairobi-based delegates.
  - f. Reiterated the commitment to Nairobi as the headquarters of UNEP and called for inclusive participation of the Nairobi-based delegates in the meeting of Heads of Delegations held in Nairobi from 30 September to 1 October 2024.
  - g. Requested more information on the number of Ministers registered to attend INC-5 and restated the support for Ministerial participation.
  - h. Advocated for meaningful consultation at every stage, encouraging inclusive dialogue and participation by civil society and rights holders.
11. In response, the INC Secretariat thanked delegations for their comments and provided the following clarifications:
  - a. Clarified that the advance English version of the third iteration of the INC Chair's non-paper will be made available four weeks ahead of INC-5, with translations published as soon as they become available.
  - b. Further informed that the Chair's Scenario Note and the reports of the Co-Chairs of the intersessional ad hoc open-ended working groups will be made available on the [INC](#)

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<sup>3</sup> Somalia on behalf of the Group of African States, Egypt on behalf of G77 and China, Kenya, Canada, Brazil, Chile, Norway, Indonesia, Portugal, NGO Major Group, Children and Youth.

- [website](#) in the coming days.
- c. Informed that the INC Secretariat has made the necessary arrangement to ensure interpretation of the plenary meetings of INC-5 on 1 December 2024.
  - d. Conveyed that the UN Secretary-General will serve as the depository of the future instrument, with the UNEP Law Division reinforcing its support to the Secretariat at INC-5, where an open-ended legal drafting group is expected to begin its work, alongside support from the Treaty Section of the UN Office of Legal Affairs.
  - e. Noted that invitations to the informal meetings of Heads of Delegation, both online and in-person, were sent to all Members of the Committee. and that all delegations enjoyed equal opportunity to participate, noting that many delegations nominated Nairobi-based representatives for the in-person meeting.

**Agenda item 5: Other matters.**

- 12. No other matters were raised.

**Agenda item 6: Closing of the meeting.**

- 13. The meeting closed at 16:00 (GMT+3).