

Joint Meeting of the Bureaux of the UN Environment Assembly
and the Committee of Permanent Representatives
7 January 2019
4:00 p.m. to 6:00 p.m.
Agenda Item 2

Agenda Item 2: Organization of work of the Bureaux

Non-paper for starting a discussion how to strengthen the governing bodies of UNEA

This non-paper should trigger discussions on strengthening the preparations of UNEA-s and creating clarity of functions and responsibilities of different governing bodies of UNEA.

Presidency of UNEA-4 would like to invite the Bureaux members to set common efforts to secure transparent, efficient and result-oriented processes during inter-sessional period and to achieve impactful and influential UNEA-s.

Our discussions could have two perspectives:

- 1) Short-term: how to secure continuing process for the negotiations of resolutions and decisions during OECPR and UNEA-4 in 2019
- 2) Long-term: how to clarify the functions of different existing governing bodies and strengthen intersessional bodies in preparations of UNEA-s. If possible, we should reach to an agreement during UNEA-4 or put in place a process during inter-sessional period

Starting the elaboration of the short-term perspective outcomes, the Presidency invites the two Bureaux to discuss and reach to an agreement on the negotiation process for resolutions and decisions, which should be adopted during UNEA-4. According to the mandates in the Decision 27/2 and in the rules of procedure, OECPR is the subsidiary inter-sessional body to contribute to preparation of the agenda of its governing body and to provide advice to its governing body on policy matters. UNEA Bureau, per its mandate, is responsible for the UNEA preparations, including securing outcomes of UNEA.

Taking into account of joint responsibilities of both Bureaux and manner of acting so far in preparations of the UNEA-4, the Presidency would like to discuss and reach to an agreement on following important aspects:

- nomination of the Chair of the Committee of the Whole
- nomination of the negotiation facilitators
- continuity of the negotiations through OECPR till the adoption in UNEA-4

In terms of long-term perspective, the Presidency invites the members of the Bureaux to start a discussion and agree on further steps, how to clarify and strengthen the mandate of intersessional meetings, respectively CPR, Annual Sub-Committee and OECPR meetings and how to empower UNEA Bureau and CPR Bureau.

Questions, which may help us lead to have a result-oriented discussions, would be as follows:

- How can the UNEA Bureau prepare most effectively an UNEA?
- Should we continue the process to negotiate the certain theme for UNEA-s?
- What is the interplay of the UNEA Bureau with the CPR?
- How can we assure that the CPR is strengthened in its crucial oversight role?
- What should be the mandates and outcomes of the CPR, open-ended CPR and annual subcommittee meetings?
- How should we set-up a process for taking a decision on annual budget envelope?
- Should we set a binding deadline for submission of resolutions, by setting up a process for amending the rules of procedures?
- Which of the above-mentioned questions could reach to a solution already during UNEA-4 and which details need further elaboration between UNEA-4 and UNEA-5?

Need for developing terms of references for the UNEA Bureau and CPR Bureau has been raised during previous joint Bureaux meetings. Draft terms of references for both Bureaux have been annexed to this non-paper. Presidency also would like to suggest the development of terms of references for the President of UNEA.

All members of the Bureaux are invited to share their views and suggestions, how to set up a process, which will lead us to the accountable results during the UNEAs, with the support of intersessional period.

ANNEX

I. DRAFT TERMS OF REFERENCE OF THE BUREAU OF THE UNITED NATIONS ENVIRONMENT ASSEMBLY

Election and composition of the Bureau

1. During the final meeting of a regular session, the United Nations Environment Assembly shall elect a President, eight Vice-Presidents and a Rapporteur from among its members who shall constitute the Bureau. The Bureau shall assist the President in the general conduct of business of the United Nations Environment Assembly. The chairpersons of sessional committees or working parties shall be invited to participate in Bureau meetings. In electing its officers, the United Nations Environment Assembly shall ensure that each of the five regions¹ is represented by two members. The Offices of President and Rapporteur shall normally be subject to rotation among the five regions.²

Replacement of a Bureau member

2. During a session of the Assembly, if a Bureau member, except the President, is unable to permanently carry out any of her or his functions, the Assembly may elect an alternate upon appointment by a Member State or by the regional group to which that member belongs. During the intersessional period, if a Bureau member resigns or is unable to exercise her or his functions, the Member State or the regional group to which that Member belongs shall nominate a replacement for the remainder of the term. The Executive Director shall inform all members of the Assembly of the nomination in writing. If within one month no objections are received in writing, the nominee is elected. If a Member State objects, the nominee is elected if a majority of member States responding support the nominee.³

Term of Office

3. The President, the Vice-Presidents and the Rapporteur shall hold office until their successors are elected. They shall commence their terms of office at the closure of the session at which they are elected and remain in office until closure of the next regular session. They are eligible for re-election.⁴

Meetings of the Bureau

4. The Bureau shall meet at least _____ times annually. Depending on the agenda, the President may invite observers to attend Bureau meetings. The President may also invite other individuals or organizations as observers if they have qualifications with regard to matters on the agenda.

¹ The five regions are Africa; Asia; Eastern Europe; Latin America; Western European or other States;

² Rule 18 of the Rules of Procedure

³ Rule 19 of the Rules of Procedure

⁴ Rule 20 of the Rules of Procedure

Quorum

5. The President may declare a meeting open when at least on third of the members of the Bureau that have

been elected by the Environment Assembly to the Bureau are present. The present of a majority of members shall be required for any decision to be taken.

Joint Bureau Meetings

6. Joint Bureau meetings may be held between the Bureau of the Environment Assembly and the Bureau of the Committee of Permanent Representatives. The Chairs of both Bureaus may alternate in chairing a joint meeting. Joint meetings shall be convened for the purpose of conducting consultations between the Bureaus and shall not take decisions, which should be adopted separately by each Bureau.

Functions of the Bureau

7. The Bureau with the support of the Secretariat shall:

- a) Carry out the tasks entrusted to it by the Environment Assembly;
- b) Assist the President in the general conduct of business of the Assembly, including the review of credentials⁵;
- c) Prepare for the sessions of the Assembly, including by providing guidance on the selection of an over-arching theme for the Assembly, advising and providing input on the preparation of the provisional agenda, the draft programme of work and the scheduling of items for the Assembly;
- d) Consider and facilitate the negotiation of draft resolutions and decisions for consideration by the Assembly;
- e) Recommend the allocation of items to subsidiary bodies of the Assembly;
- f) Provide guidance on relevant meetings of an informal nature related to the Assembly;
- g) Ensure that there is coherence and complementarity between the work of the Committee of Permanent Representatives and the Environment Assembly.

8. The Bureau shall perform its functions in a manner that is without prejudice to the role and mandate of the Open-Ended Committee of Permanent Representatives, which is the subsidiary inter-sessional body of the governing body of the United Nations Environment Programme.

Final provisions

9. The Bureau shall conduct its business in English.

These Terms of Reference were adopted by the Bureau on _____ and may be amended with the agreement of all the members of the Bureau.

⁵ Rule 17 of the Rules of Procedure

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II. DRAFT TERMS OF REFERENCE OF THE BUREAU OF THE COMMITTEE OF PERMANENT REPRESENTATIVES

Election and composition of the Bureau

1. The Committee of Permanent Representatives (“Committee”) shall elect a Chair, three Vice Chairs and a Rapporteur from among its members who shall constitute the Bureau. The Bureau shall assist the Chair in the general conduct of business of the Committee. In electing its officers, the Committee shall ensure that each of the five regions is represented. The Chair shall normally be subject to rotation among the five regions⁶. ...

Replacement of a Bureau member

2. During a meeting of the Committee, if a Bureau member, except the Chair, is unable to permanently carry out any of her or his functions, the Committee may elect an alternate upon appointment by a Member State or by the regional group to which that member belongs. In cases where the Committee is not meeting and a Bureau member resigns or is unable to exercise her or his functions, the Member State or the regional group to which that Member belongs shall nominate a replacement for the remainder of the term. The Executive Director shall inform all members of the Committee of the nomination in writing. If within one month no objections are received in writing, the nominee is elected. If a Member State objects, the nominee is elected if a majority of member States responding support the nominee⁷

Term of Office

3. ...

Meetings of the Bureau

4. The Bureau shall meet as required, upon the request of the Chair. Depending on the agenda, the Chair of the Bureau may invite observers to attend Bureau meetings. The Chair may also invite other individuals or organizations as observers if they have qualifications with regard to matters on the agenda.

Quorum

5. Notwithstanding the provisions of the rules of procedure, the Chair may only declare a meeting open and allow decisions to be taken when a majority of Bureau members are present.

Joint Bureau Meetings

⁶ Rule 18 of the Rules of Procedure as applicable to the Committee of Permanent Representatives

⁷ Rule 19 of the Rules of Procedure, as applicable to the Committee of Permanent Representatives

6. Joint Bureau meetings may be held between the Bureau of the Committee of Permanent Representatives and the Bureau of the Environment Assembly. The Chairs of both Bureaus may alternate in chairing a joint meeting. Joint meetings shall be convened for the purpose of conducting consultations between the Bureaus and shall not take decisions, which should be adopted separately by each Bureau.

Functions of the Bureau

7. The Bureau with the support of the Secretariat shall:

- a) Carry out the tasks entrusted to it by the Committee;
- b) Assist the Chair in the general conduct of business of the Committee;
- c) Prepare for the meetings of the Committee, including by providing guidance on the dates of meetings, advising and providing input on the preparation of the provisional agenda, the draft programme of work and the scheduling of items for the meetings of the Committee;
- d) Consider and facilitate the negotiation of draft resolutions and decisions for consideration by the Committee;
- e) Ensure that there is coherence and complementarity between the work of the Committee of Permanent Representatives and the Environment Assembly.

Final provisions

9. The Bureau shall conduct its business in English.

These Terms of Reference were adopted by the Bureau on _____ and may be amended with the agreement of all the members of the Bureau.