

Written inputs from the Norwegian delegation to the Decision 4/2 review

Overall comments: Norway welcomes the continued hard work of the co-facilitators in forging ahead with the review also in the online format. This is a very important process and the level of engagement is very encouraging. The exchange of views is helpful and insightful.

We understand that the co-facilitators are "holding the pen" and seek to reflect the consensus as they understand it. We have made our comments with that approach in mind with a view of better explaining our position on the various elements on under discussion at the 12 May meeting.

Organization of preparations for the OECPR and UNEA

Norway believes that to ensure that the review delivers value-added to the status quo and deliver on the mandate to improve the efficiency and effectiveness of UNEA and its subsidiary bodies, there should be clarity around the functions of each of the meetings being discussed.

As pointed out in our previous communication (date), Norway sees that there is a difference in function between what we characterised as the "regular" quarterly CPR meetings and the Open-Ended CPR. It seems to us that that this difference in function is an underlying question in respect of in the inability to find consensus on paragraph 3. Our impression from the discussions is that clarifying this question will enable us to reach agreement on this paragraph. It will be easier to agree on the cover once there is agreement on the content.

With respect to the proposal contained in paragraph 4 to rename the Annual Sub-Committee the Review and Oversight Committee. There is no doubt that the review and oversight functions are among the most important and the organisation of a multiple day meeting with this function has been an invaluable mechanism to improve the work on this part of the mandate of the CPR. Changing the name to better reflect the function is a useful idea. In much the same way as we are considering changing the name of the OECPR to better reflect its function. Changing the name to "Meeting" would therefore reflect this rational better as we understand it. Such a name change should not stand in the way of an inclusion on the agenda of this annual meeting a component relating to the preparations of the UN Environment Assembly, as per para. 16 of per the main document of the Converging Elements of Consensus (Version III – dated 5 May 2020). This is where we could usefully start the consideration of draft resolutions. We look forward to this being made clear in the next version of this document.

Regarding specific paragraphs from the Main document Converging Elements of Consensus (Version III – dated 5 May 2020):

Paragraph 5:

The Norwegian delegation supports the points made by other delegations at the 12 May 2020 meeting regarding side events. It is not desirable to refer to a need to "limit side events". To the extent there is a need to address number of side events, this is a question about determining an appropriate number of side events which will support and enhance, and not undermine the work of the rest of UNEA.

Norway believes side events are an important mechanism by which relevant information and experiences are shared between a broad range of participants. Side events allow for dialogue between a wide range of actors. In our view putting too much emphasis on limiting the number could create an impression of putting limitations on interactions with Major Groups and stakeholders and this is not a position Norway would be able to support.

We would also note that the best way of limiting the number of negotiating groups to allow all delegations, especially smaller ones to be able to follow all negotiations, is to address how much is negotiated. There must be principles to respect to allow all delegations to participate in the negotiations that they wish too. The consensual elements should address the causes, not the symptoms.

Paragraph 6

It seems to us that this point regarding coordination and cooperation with MEAs overlaps with related questions in the recommendations as endorsed by UNGA in resolution 73/333. This is certainly an important issue and we should consider the most efficient way of addressing it without duplicating that process.

Paragraph 8

This paragraph addresses a very important question, and the paragraph contains very good elements. However, it contains many different elements and is a bit confusing in our view. We have identified some questions we feel could help clarify the scope of the paragraph, assuming our understanding of these elements is the same as intended.

- What is meant by "flagship scientific environmental assessments"? We speak of the GEO reports as flagship reports, but does this include thematic assessments? The Frontiers report could also be a useful input, is it also included?
- How exactly do we foresee the UNEA bureau "facilitating science-based decision making"? This is, in our view, a core function of UNEP, but is more unclear to us how the UNEA bureau could facilitate this?
- We presume the idea is that there should be dedicated briefings and consultations on the theme and resolutions and that these will contribute to strengthening the science policy interface at UNEA-5. We would agree this is a good idea, but again, the paragraph needs to be more clear on this.
- What is the relationship between the UNEA Bureau and the governance of the Science Policy Business Forum? How can we best ensure synergies and strategic coordination between these two processes as envisaged?

Paragraph 9

Norway agreed that all major groups and relevant stakeholders are important and that there is a risk involved in specifically highlighting some of these. If nevertheless there is reason to refer to specific groups within these, Norway requests that UN Consistent language be used, which would entail referring to **indigenous peoples**.

Paragraph 11

Norway agrees with all delegations that the online format allows for broad-based participation beyond simply Nairobi-based participants. However, we do not believe this format is in and of itself sufficient in terms of meeting the standard of inclusiveness for all non-residents and would be uncomfortable if only participants in meetings would decide on this. We note a strong interest in non-residents in connection with UNEA, which we believe should be harnessed and strengthened. At the very least, these delegations should be given an opportunity to provide inputs as to how their participation could be strengthened. This would in our view be a good way to further strengthen the UN Environment Assembly, which is the objective of this exercise.

ANNEX II to the document "Converging elements of consensus" by the co-facilitators to the process for review by the Committee of Permanent Representatives (Version III, 5 May 2020)

Section A: Timeframes for submitting draft resolutions

We would propose that the timing be increased to a range of 10 to 12 weeks for the proposal of the draft resolutions and 18 to 20 weeks for the proposal of concept notes. This would enable us to make good use of the Annual Sub-Committee meeting as part of the preparatory process, allow for in-depth exchange of views in Nairobi early in the process and allow for both adequate and appropriate engagement and preparation both within capitals and in Nairobi. We fully agree with those delegations who emphasize making better use of the preparatory time in Nairobi. Furthermore we see this to be mutually supportive with allowing sufficient consultations and preparations in capitals. In other words, this would be a win-win.

With respect to section B on the concept note in support of draft resolutions

Norway believes the document provides a very good starting point and outline of discussions so far. The note goes a long way to concretize what Norway had in mind with a checklist approach.

In order to build on this we have the following comments:

1. How can we facilitate in depth exchange of views between delegations that can lead to greater collaboration between member states on resolutions of mutual interest? The process should facilitate this rather than assume it will happen. If we pursue a business as usual approach it will likely yield the same results; too many resolutions and difficult discussions about consolidation of proposals at a too late stage. The amount of work envisaged in simply producing the concept note is quite comprehensive, and so is likely to lead to duplication of efforts by member states interested in similar issues.
2. The standard being envisaged for concept notes is not in our view "as a minimum". Rather it seems we are setting a very high standard for these concept notes. Is this standard realistic? We agree with all the elements on this list, but there needs to be an inbuilt flexibility. This checklist sets a standard so the sort of answers which need to be provided to truly make a case for a resolution, but not all may be relevant or even possible. For example, are we requiring that draft resolutions must address emerging issues only?
3. Experience we have with drafting resolutions shows that a meeting which allows for a detailed Q&A exchanges with the proponents at different stages of the process, but in particular at the stage of the draft resolution could be a very useful element in the broader process. We hope such a recommendation can be included in the consensual elements.

We would further propose the following amendments to litra a):

- a) The overall rationale for initiative, including how the draft relates to
 - o the UNEA theme;
 - o Agenda 2030 and the UN Sustainable Development Goals;
 - o emerging global environmental issues, where applicable;
 - o value-added of the initiative in comparison relation to status quo.

The checklist must be achievable for all delegations, as well as encouraging greater collaboration with the UNEP secretariat.

Litra d) will in particular require much more input and assistance from the secretariat. In this respect, Rule 31 of the Rules of Procedure address related issues. While consultation with the secretariat at the level of drafting concept notes should be desirable, we must avoid holding the entire process hostage to this one point in the checklist. Further consideration needs to be given to timing and options for format to address these different aspects of a concept note. It may not be desirable to address all issues in one go.

Finally, with respect to omnibus resolutions:

- Norway supports increased use of these when appropriate. However we would caution against omnibus resolutions becoming the rule. We have consulted with colleagues active in other fora and it seems to us that omnibus resolutions are particularly useful when one is building on an existing process and history on an issue.
- However if we consider that one key objective of UNEP and the Environment Assembly is to set the global agenda on environment, omnibus resolutions are not an effective way of doing this. Such resolutions would not be conducive to highlighting particular issues which may be of particular political interest to the broader UNEA.
- The Norwegian delegation believes we should jointly consider how we can encourage more omnibus resolutions where this is most appropriate. Furthermore if the objective is to ensure a

manageable amount of negotiating to enable all delegations, in particular small ones to participate, think negotiating five omnibus resolutions of eight pages each is no better than twenty resolutions of two pages each.