

Committee of Permanent Representatives

Subcommittee Meeting

Tuesday 14 July 2020

2:00 pm – 5:00 pm

Online meeting

### **MEETING SUMMARY**

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

1. Mr. Marcus Davies and Mr. Mapopa C. Kaunda, Co-Facilitators for the process for review by the Committee of Permanent Representatives, opened the meeting.
2. The meeting agenda was adopted. The agenda as well as the background documents and contributions in writing form member States and stakeholders for the meeting are available on the [meeting portal](#).

#### **Agenda Item 2: Implementation of paragraphs 9-13 of Decision UNEP/EA.4/2 entitled “Provisional agenda, date and venue of the fifth session of the United Nations Environment Assembly”.**

3. The meeting considered [Annex I](#) and [Annex II](#) of the co-facilitators’ document entitled [“Converging elements of consensus - Process for review by the Committee of Permanent Representatives”](#).
4. At the onset of the deliberations, one delegation representing a regional group expressed a preference of having only one main outcome document, rather than a document with two annexes, and expressed doubts about the value added of both Annex I and Annex II. With regard to Annex I (draft terms of reference of the Bureaus of the UNEA and of the CPR), the concern was related to possible inconsistency, selective quotation or re-interpretation of the UNEA rules of procedure. With regard to Annex II (draft guidance to Member States on submission of draft resolutions to UNEA), the draft guidance – in particular the idea of a check-list – was seen as potentially undermining or micromanaging the right of Member States to table draft resolutions to UNEA within the time frame provided set out in the rules of procedure, and part of the annex (such as section C) was deemed redundant. However, the content of the annexes were not rejected in its entirety, and it was recommended to retain some of the recommendations in the main documents. Some delegations expressed support for this position, in principle.
5. Several other delegations expressed concern about the proposal to delete or merge Annex I and II with the main document, and stated their preference for retaining the main document with its two annexes as interlinked but separate documents, in particular with a view to ensure that a comprehensive overview of all the functions and roles of the two Bureaus is can be captured in

one single document instead of being mixed with other types of recommendations stemming from the review. It was underline that the intention of Annex I was to provide clarity on the roles and established practices of the UNEA and CPR Bureaux and that they could be used as a reference document for new and incoming delegations who are unfamiliar with the established practices as well as the rules of procedure. It was further noted that a lot of work had already been undertaken in developing these documents throughout the consultation process, and that while consideration of the UNEA rules of procedure may in principle lie within the mandate of the process for review, no such proposal had in fact been tabled by any member State.

6. Upon request, the Secretariat explained that the draft terms of reference are fully aligned with both the UNEA rules of procedure and with relevant decisions of the governing bodies of UNEP, and that the additional information contained therein in the form of established practices were not in breach of existing rules or decisions. This could be further clarified and strengthened, for example by adding a clause or footnote to Annex I, as suggested by one delegation, in order to establish that the draft terms of reference are without prejudice to the UNEA rules of procedure. Furthermore, the Secretariat recalled that the main purpose of the draft terms of reference was to provide guidance and clarity on the way the Bureaux conduct their work, and noted that merging all such information with other recommendations stemming from the review might limit the effectiveness in providing such guidance.
7. With regard to Annex I (Section I), delegations provided the following specific comments:
  - Paragraph 5 and 8: One delegation proposed to amend the paragraph to ensure that Bureau Members may participate in the meetings of by virtual means. Another delegation pointed out that this is already standard practice.
  - Paragraph 7: Several delegations sought clarification on what happens when there is no consensus within the Bureau as well as the extent of decisions the Bureau can make. The Secretariat informed the meeting that Bureaus are in some cases expected to take formal decisions (for example regarding meeting credentials), that it is highly unusual not to reach consensus on such matters, and that the standard practice in such cases is to refer the decision to a future meeting or to another governing body.
  - Paragraph 9: One delegation suggested that sub-paragraphs (e) and (f) could be merged, and that sub-paragraph (e) could be amended to include a no-objection procedure.
  - Paragraph 11: One delegation raised questions about the requirement for members of the bureaus to consult with regional groups in paragraph 11 and 7.
  - Paragraph 12: One delegation considered that the bureau meetings should be conducted in both English and French.
8. One delegation referred to the elements document (version V), and expressed reservation about the proposal to change the names of Open-Ended Committee of Permanent Representatives as “Preparatory Committee for the UN Environment Assembly” (UNEA PREPCOM), and the Meeting of the Annual Subcommittee of the Committee of Permanent Representatives as the “Review and Oversight Committee Meeting.”
9. The Co-Facilitators thanked delegations for the substantive inputs provided, and informed the meeting that the next formal consultation on the process for review will be held in early September after the holiday break, on the basis of a revised set of documents. That meeting

would be the last opportunity to consider the review before the meeting of the annual subcommittee in October.

**Agenda Item 3: Closing of the meeting.**

10. The meeting closed at 5.30 p.m.