

Committee of Permanent Representatives
Subcommittee Meeting
Thursday 1 October 2020
2:00 p.m. – 5: 00 p.m. (EAT)
Online Meeting

**Agenda Item 2: Consultation on the timing and format
of UNEA-5 in view of COVID-19.**

This document serves as a background document for agenda item 2: Consultation on the timing and format of UNEA-5 in view of COVID-19. It outlines the current status of preparations for UNEA 5 and presents possible options for the timing and format for the fifth session of the UN Environment Assembly, scheduled for 22-26 February 2020 in Nairobi, Kenya, as a basis for further consideration.

This document also served as background document for the joint meeting of the Bureau of the UN Environment Assembly and of the Committee of Permanent Representatives held virtually on 11 September 2020.

Member States are invited to consider the options outlined in the document, taking into account the outcome of the discussions at the joint Bureau meeting, and provide further guidance to the UNEA Bureau in view of taking a decision at its meeting on 8 October.

Options for Organizing UNEA 5 in the Aftermath of the COVID- 19 Pandemic

Introduction

The fifth session of the UN Environment Assembly (UNEA-5) is scheduled to take place 22-26 February 2021, in Nairobi, Kenya, as agreed at UNEA-4 in December 2017 ([UNEA Decision 4/2](#)). It will be preceded by the 5th Open-Ended Meeting of the Committee of Permanent Representatives (OECPR-5), 15-19 February 2021. UNEA-5 will have as its theme: *Strengthening Actions for Nature to Achieve the Sustainable Development Goals*. The dates for UNEA-5 and OECPR-5 were decided upon before the outbreak of the COVID-19 pandemic and the related restrictions put in place by the host country and by the UN Office in Nairobi (UNON).

This note outlines the current status of preparations for UNEA-5 and presents various options. It presents option 1 – a “hybrid” between an online and an in-person meeting organized on the originally agreed date – as the preferred option, while keeping option 2 – a 100 % virtual meeting – open, in case the situation regarding COVID-19 requires.

Since the outbreak of the pandemic, UNEP and the UN as a whole have progressively moved towards alternative forms of gatherings, consultations and decisions making processes, using virtual meetings platforms. These new meeting modalities have posed various organizational and procedural challenges, including with regard to the provision of interpretation services, the limited feasibility to undertake effective formal intergovernmental negotiations and consensus-building processes, the interpretation and application of relevant UN rules of procedures, and appropriate registration of participants to ensure the integrity of the intergovernmental processes.

However, the organization of virtual UN meetings has also offered some positive aspects. These include wider participation, by involving experts from capitals and from countries in various geographical locations that do not have diplomatic representation in Nairobi, a more efficient use of meeting time, and reduced travel and related environmental impacts, among others.

A positive example in this regard was the UNEA-5 “Act #forNature” online Forum, held 7–11 June 2020, and the related meeting of the bureau of the Environment Assembly and of the Committee of Permanent Representatives on 9–10 June, which offered a variety of online meetings and platforms including interactive international consultations and working groups, public panels, and closed consultation meetings for member States and stakeholders. The Forum was largely considered a success and demonstrated that international consultations relating to UNEA-5 can be organized online without losing impact.

With respect to UNEA-5 and OECPR-5, the uncertainty regarding the evolution of the COVID-19 pandemic will require effective planning, flexibility and foresight. Organizing a complex international event such as UNEA-5, bringing together thousands of representatives and stakeholders from all over the world, takes many months of preparation time. In the light of this, it seems to be prudent to decide on a workable and realistic format for UNEA-5 as soon as possible.

Timelines for preparatory meetings in the autumn 2020

At its meeting on 30 July 2020, the Bureau of the Committee of Permanent Representatives agreed as follows (full summary available on the [meeting portal](#)):

- The subcommittee meeting currently scheduled for 3 September should be fully devoted to the process for review by the CPR and moved to 10 September.
- The joint meeting of the Bureaus of UNEA and of the CPR initially planned for 19 or 20 September should be re-scheduled to another date in October 2020.
- The stock-taking meeting for the process for review by the CPR (tentatively scheduled for 12-13 October) may need to be shortened from 2 to 1 day to ensure that sufficient time is devoted to other important issues at the meeting of the annual subcommittee.
- All meetings under the CPR until at least the end October 2020 will be held virtually, including the 151st meeting of the Committee of Permanent Representatives on 14th of September and the 7th Annual Subcommittee scheduled from 12 to 16 of October.
- Until in-person meetings can resume, CPR regular and subcommittee meetings will be organized virtually between 2 – 6 pm Nairobi time, and the annual subcommittee between 1 – 6 pm, with the aim to facilitate the participation of experts from capitals by providing the most amenable timing possible for delegations that connect from different time zones while broadly retaining the time frame compared to an in-person meeting.

In addition, the Bureau agreed to organize the 2nd consultation on the implementation of General Assembly resolution 73/333 from 3 to 5th of November, as suggested by the co-facilitators, if possible in a hybrid format. The Bureau also noted that the fourth and final meeting of the ad hoc open-ended expert group on marine litter and microplastics will be held virtually from 9-13 November 2020, as decided by the AHEG Bureau.

Principles for the consideration of options

When considering various options for the format of UNEA-5, the Secretariat proposes to consider the following principles:

- Consistency with the Rules of Procedure of the Assembly;
- Provision of equal opportunity for all member States, including developing and least developed countries, and accredited Major Groups and Stakeholders to attend UNEA-5 and OECPR-5, also taking into consideration different time zones and challenges related to online interpretation to the six official UN languages;
- Use of the most suitable available technology for virtual meetings, possibly through an experienced external partner/contractor who can supply all the necessary technical services;
- Ensure an effective online preparatory process, in case physical meetings are not possible;
- Ensure a lean, focused and result oriented UNEA 5, through a strategic approach and a strict priority-setting;
- Applications of the same access rules of engagement for online meetings as for physical meetings.

Options for UNEA-5

This note identifies and assesses advantages and disadvantages for four main options for UNEA 5, as follows.

Option 1: Organize UNEA-5 and OECPR-5 partly as a virtual and partly as a physical meeting (hybrid format).

This option assumes that existing travel restrictions in Kenya (as of August 2020) remain in place or have been modified towards greater flexibility and that UNON, in coordination with the host country, approves access to the compound to a restricted number of delegates and staff members at the time of UNEA-5 and OECPR-5.

A UNEA under a hybrid format would be an intergovernmental meeting held in UNEP headquarters conducted in accordance with the Assembly Rules of Procedure where all Member States and representatives of stakeholders submit credentials and letters of accreditation to the Executive Director.

Given physical limitations and the potential need for social distancing, however, only a limited number (equal for all Member States and stakeholders) of properly accredited delegates receive access badges to the UN premises in Nairobi where formal plenary meetings are conducted and broadcasted in all official UN languages and where a very limited number of contact/working groups take place.

Member States not having a Permanent Mission in Nairobi and whose delegates are unable to travel can be present and participate in a hybrid UNEA either virtually through a secure online connection where the Secretariat verifies the identity of the accredited delegates or physically by traveling to Nairobi with a small number of delegates (given the likelihood of restrictions to access the compound).

A hybrid UNEA is consistent with the most relevant rules of procedure of UNEA which allow a meeting to take place, particularly rule 4 (place of regular sessions), rule 7 on notification of date of opening, rule 12 on adoption of the agenda, rule 13 on allocation of items, rule 32 on quorum as this is verified at the opening of the session to ensure a majority of member states are “present” either physically or virtually, rule 33 on the powers of the President to maintain order at the meeting and ensure observance of the rules, rule 35 on speeches, as all Member States receive equal time allocation for statements and a single list of speakers is followed, rule 44 on the submission of proposals and amendments that will be circulated electronically, rule 65 on the translation of documents, rule 68 on the participation of Observer States and rules 69 and 70 on the participation of intergovernmental and non-governmental organizations and, if required, rule 50 on voting. If necessary, the voting procedure shall take place by roll call as set out in the rules; otherwise the outcomes of the session will be adopted by consensus at its last plenary meeting as per the established practice of the Assembly.

While consistent with the rules of procedure, a UNEA under a hybrid mode will require modifications to the format particularly of the high-level segment, the Secretariat will propose that the high-level segment be held a virtual interactive events and dialogues, therefore allowing a greater participation from high-level representatives, including heads of State, ministers of the environment, heads of international organizations and business leaders.

Advantages: A cost effective and practical solution, as UNEP has already gained experience in organizing online events. The original timing can be maintained, and important and essential decisions will not have to be postponed. There is an additional potential to achieve a wider outreach by organizing the high-level segment leadership dialogues and associated side events (as well as the Sustainable Innovation Expo and the Science Policy Business Forum) through virtual platforms, with a central hub placed in Nairobi and

possibly in other UN Headquarters. Face to face meetings with virtual access for external representatives will be possible through a combination of virtual meetings and physical meetings with using social distancing rules for OECPR plenary meetings, the UNEA Committee of the Whole, the procedural and decision-making plenaries of the Assembly and a limited number of negotiating working groups. This option will require member States to prioritize the most important outcomes and resolutions of UNEA, while allowing for some flexibility.

Disadvantages: May require limitation in the size of delegations, and referral of some draft resolutions to future UNEA sessions, due to limited time available for negotiations; there may also be targeted travel restrictions in place that limits the physical participation for some delegations and/or stakeholders. It may also be challenging to provide interpretation.

Option 2: Hold UNEA-5 as a fully virtual meeting with several components stretched over a longer period of time.

In this scenario, core UNEA-5 functions, such as opening and closing plenaries, the Committee of the Whole and leadership dialogues would be held on the original dates through virtual platforms only.

Advantages: Virtual dialogues and meetings may provide a wider global reach and will allow all delegations and stakeholders to participate without travelling to Nairobi, while minimizing financial and environmental costs. Holding a virtual meeting may allow for the adoption of some decisions, including core procedural and programmatic resolutions and the ministerial outcome document.

Disadvantages: This option may require re-thinking the date of the OECPR and would require a strict prioritization of the outcomes and resolutions to be adopted by UNEA (e.g. limited to the most essential programmatic resolutions, a possible omnibus resolution, and the ministerial declaration). The decision-making process may be challenged by possible connectivity problems. It may also be challenging to provide interpretation.

Option 3: Postpone UNEA 5 to 2022, possibly combining it with the commemoration of the 50-year anniversary of UNEP.

This option would require explicit support by a majority of member States, in accordance with rule 3 of the [UNEA Rules of Procedure](#)¹, and is not recommended by the Secretariat.

Advantages: A cost effective solution that could potentially combine UNEA with the UNEP@50 commemoration; UNEA may be organized as a physical meeting.

Disadvantages: Important decisions (including on the UNEP Medium Term Strategy and Programme of Work) will be postponed to 2022 which may create an overloaded agenda; it may also complicate the plans to organize a high-level UN meeting and commemorate the 1972 Stockholm conference in 2022.

¹ Rule 3: Five members of the United Nations Environment Assembly or the Executive Director of the United Nations Environment Programme may request an alteration of the date of a regular session. In either case, the Executive Director shall forthwith communicate the request to the other members of the United Nations Environment Assembly, together with appropriate observations, including financial implications, if any. If within twenty-one days of the inquiry a majority of the members of the United Nations Environment Assembly explicitly concurs in the request, the Executive Director shall convene the United Nations Environment Assembly accordingly.

Option 4: Postpone UNEA 5 to the second half of 2021, until COVID-19 restrictions are lifted.

This option would require explicit support by a majority of member States in accordance with the Rules of Procedure, and is not recommended by the Secretariat.

Advantages: Temporary postponement until later in 2021 may allow for UNEA to be organized as a fully physical meeting and will ensure that important decisions can be taken in a timely manner in 2021.

Disadvantages: Uncertainty linked to continued COVID-19 restrictions is likely to continue under such a limited time frame, with no guarantee that travel or meeting facilities will be available at that time; and the preparation time for UNEP@50, the UN high level meeting in 2022 as well as UNEA-6 will be significantly shortened.

Recommendation

The Secretariat recommends option 1 as the preferred option, with option 2 as a fall-back. This would entail:

Date

- The agreed dates for UNEA-5 and OECPR-5 (22-26 and 15-19 February 2021) will be maintained, with some related online events such as the Science-Policy Business Forum and Major Groups and Stakeholders preparatory activities will be organized in advance, possibly stretched over a couple of days/weeks.

OECPR-5

- Will be held with physical and online participation. Size of the delegations would be limited, e.g. to four per member and observer State, two per Major Group, two per Major Group Region, and one per international organization. UNEP will provide travel support to eligible delegations, as per previous practice.

UNEA

- The UNEA high-level segment including the leadership dialogues, a dialogue with stakeholders and representatives from Multilateral Environmental Agreements, and other related UNEA events are organized online to maximize visibility, with a central hub in Nairobi.
- Plenary opening is held as a restricted physical meeting with complementary online participation.
- The Committee of the Whole and important plenaries are held as a restricted physical meetings with complementary online participation; physical participation would be limited e.g. to lead negotiators, two delegates per member state, two per Major Group, two per Major Group/Region, one per international organization.
- The number of resolutions to be negotiated and agreed may have to be kept to a minimum, taking into account the hybrid format.
- National statements are held online or through written statements that will be published on the website.
- Interpretation will be provided through UNON where it is normally provided, such as the leadership dialogues and the plenary meeting.

Social Events, such as receptions, parties, galas etc.

- Will not take place owing to risks associated to COVID-19.

Global Major Groups and Stakeholders Forum (GMGSF)

- Held as an online consultation, self-organized by Major Groups, facilitated by UNEP, open to accredited and non-accredited organizations.
- Held prior to UNEA and OECPR, possibly organized over the course of a few days.
- Outcomes will be summarized in a report available prior to OECPR-5.

Science Policy Business Forum

- Held prior to OECPR and UNEA, possibly 1 - 2 months in advance, as an online event.
- Strong focus on the UNEA-5 theme with an output relevant for UNEA-5.
- Outcomes will be summarized in a report available prior to OECPR-5.

Sustainable Innovation Expo

- Will not take place physically during UNEA-5 but will be organized as a virtual online expo.

Side events

- Only a limited number of side events will take place prior and parallel to UNEA-5, related to the UNEA-5 sub themes and online. Side events should be the full responsibility of organizers, including taking care of all technical arrangements, e.g. they could also be organized in regions.

Other events, e.g. Green tent, Marine litter, faith etc.

- Will not take place.

Organizing partner for online events

- UNEP may procure services from a professional online event organizer with a suitable virtual platform for online events.
- UNON will be consulted throughout the process, also in view of securing interpretation.