Comments by Switzerland

PART B: INPUTS TO SUBPARAGRAPHS 10 a) - c)

Operative Paragraph 10 of decision 4/2 reads as follows: “Decides that the scope of the consideration during the review process will be:

(a) The preparation, working arrangements, and scheduling of sessions of the Environment Assembly and the objectives, preparation, working arrangements and the scheduling of meetings of its subsidiary body, namely the meeting of the Open-ended Committee of Permanent Representatives and the regular and annual meetings of the subcommittee of the Committee of Permanent Representatives;”

Guiding questions for subparagraph 10 (a):

1. How can UNEA and its working arrangements be leveraged to further enhance its ability to take strategic decisions and provide political guidance?
2. What steps can be taken to meaningfully enhance stakeholder engagement, including from the scientific community, at UNEA?
3. Are the designations of the subsidiary intersessional bodies – i.e. OECPR and the annual subcommittee – adequately reflecting their roles and functions?
4. Should the respective roles of the OECPR and the annual subcommittee be further clarified and reinforced? If so, how?
5. Are the timing and duration of the meetings of the different UNEP governing bodies optimal, or should they be reconsidered, including with respect to facilitating meaningful stakeholder participation? If so, how?

Provided inputs:
1. A point of uniqueness of UNEA is the ability to provide overarching political guidance and to take strategic decisions on environmental issues. In order to live up to this mission, it is important that sufficient space (time / rooms) for negotiations are available during OECPR and UNEA and that side events and forums are not limiting the negotiation capacity of UNEA. Since the mandate for UNEA requires to provide political guidance on all environmental matters we cannot limit the resolutions to be only tight to the theme of the UNEA. We see the theme as an element for the High Level Segment of UNEA and not the entire UNEA. It is a chance that ministers can in-depth discuss certain aspects of the environmental dimension however, this should not affect the capacity of UNEA to provide policy guidance to all relevant environmental fields.
2. UNEA works as a science – policy interface, in our understanding it is a place where scientific
assessments are discussed and decisions on possible actions taken. To achieve this task in a successful manner, it is key that UNEP is in a position to deliver on its core function “to keep the environment under review”. Important element to this are that sufficient resources are foreseen in the core budget, that UNEP is able to ensure the required high scientific standards or that efficient and effective processes for assessments are in place. The scientific assessment have to be published well in advance of the meetings that member states and stakeholder have time to process them. An element for success is also that the assessment are gaining a momentum and are considered by relevant actors. The current rhythm e.g. for the GEO to be published every few years is helpful to create such a momentum as well to have a Summary for Policy Makers, in the case of GEO that is negotiated by member states.

3. In our view the OECPR acts de-facto as a preparatory conference to UNEA and naming it this way could be helpful to explain its function. Annual subcommittee Meeting is a very generic and “meaningless” designation. We suggest that Member States reflect on a designation that better captures the objectives and scope of that meeting, e.g. Annual oversight meeting.

4. The role of the Annual Sub Committee ASC should be reinforced and in order to become a true ‘review meeting’. Key elements are:

- To further improve the functioning of the ACS to become a platform where the relevant informations on the implementation of the PoW and on the budget are shared, success and challenges discussed and the ACS contributes to a improved oversight function.
- That the ACS play its role in the follow up of the implementation of UNEA resolutions and the process for new resolutions on the upcoming UNEA. Currently the ED of UNEP reports at the UNEA on the implementation of the resolutions from last UNEA. We consider the delivered information’s as very helpful and the way they are presented supports the reflections on possible follow – up actions. To deliver this information not only at UNEA but already at an earlier stage at the ACS can be a contribution to facilitate the drafting of relevant UNEA resolutions building up on work done.

As well the mandate of the OECPR should be defined and distinguished from the CPR’s work in its regular inter sessional work in the quarterly CPR and subcommittee meetings.

5. In our analysis the experience of the last to UNEA’s were the meetings were held back–to-back with the OECPR has been successful and should be continued. Regarding the CPR meetings, we are supportive to discuss how the CPR could be strengthened in view to ensure its oversight function. As well to allow an effective work in the respective fora’s, it has to be ensured that regional representatives are able to consult their regional groups and representatives from missions their colleagues in the capitals. This requires that documentation for all meeting, including CPR bureau meetings and other related meetings, are well available
before the meeting. We suggest to respect the usual threshold of two weeks. As well the scheduling practice plays an important part in underpinning the CPR role. CPR meeting dates, including the Bureau Meetings and other related meetings, need to be announced well in advance. The quarterly CPR meetings and the annual subcommittee meeting shall be scheduled at the beginning of the calendar year and respected. This elements will also reduce the workload of the secretariat and make their work easier.

(b) The respective roles and responsibilities of the Bureau of the Environment Assembly and of the Bureau of the Committee of Permanent Representatives, including those related to interactions with their respective constituencies;

Guiding questions for subparagraph 10 (b):

1. Should the respective roles and responsibilities of the CPR and UNEA Bureaux and their Chairs be more distinguished and clarified, including with regard to representation of regional constituencies?
2. Should the two Bureaus further strengthen their working relationship? If so, how?
3. How can individual Bureau members contribute to enhancing the visibility of UNEA as the leading global environmental authority in other international fora?

Provided inputs:

1. Yes, in general the roles should be clarified in order to strengthen their specific task, in particular the oversight function of the CPR and the organization of UNEA through the UNEA Bureau. This could create the potential to reduce duplications and make the work more effective as a clear distinction of which body is taking what kind of decision is essential to avoid a back and forth in the decision-making.
2. The good collaboration among the two bureaus is positive element. However there is a certain overlap in their work that increases the workload of each of the bureaus and delays the decision-making. A clarification of the roles and responsibilities has to potential to further strengthen the collaboration on relevant elements as appropriate.
3. Regional consultation help bureau members to provide guidance that is sound and supported by a large group of member states. This is a helpful element to ensure that the design and functioning of UNEA reflects the visions of Member states will increase the identification and contribute to an enhanced visibility and relevance.

(c) Criteria, modalities and timing for presenting and negotiating draft resolutions and decisions;
Guiding questions for paragraph 10 (c):

1. What should be the key criteria and focus for draft UNEA resolutions and decisions, and how should they relate to the theme of the Assembly?
2. How to better ensure that informal deadlines for submitting draft resolutions are respected?
3. How to ensure that resolutions and decisions are complementary and not duplicative to the UNEP programme of work and budget?
4. How can the secretariat better support the chairs of the working groups that negotiate resolutions including through possible submission of proposals for suggested action?

Provided inputs:

1. The mandate of UNEA and UNEP as well the RoP provide the framework for UNEA resolutions. A main element of the core mandate of UNEA is “to provide overarching policy guidance”. This setting defines that UNEA resolutions shouldn’t be limited to certain aspects as e.g. a theme. It is therefore our understanding that if we talk about a theme, this refers to the High Level Segement of UNEA. All UNEA resolutions should target substantive global environmental elements. One lesson from the last UNEA’s was that we spent too much time debating non–environmental issues that have been and will be debated extensively in other, more befitting fora of the UN system. Member States could also agree that draft resolutions are always to be co–sponsored by Member States from at least two different regional groups. This should make sure that issues are relevant to a broader membership.

2. The steps taken in the process leading to UNEA 4, e.g. to announce the resolutions or to fill out a description, are helpful elements and we support to keep them. They could be further developed, in particular it could be recommended that resolutions should be co–sponsored by member states from at least two different regional groups. We would be very critical to impose any mandatory deadline to submit resolutions. We have examples from the past where resolutions have emerged during discussions at UNEA, submitted at a late stage and being accepted by consensus and we strongly recommend to keep this function as part of the negotiating capacity of the OECPR and UNEA.

3. Additionally to the comments we have made regarding the ASC, additionally the guidance document could be further developed in this regard.

4. At the annual subcommittee preceding an UNEA, the Secretariat could indicate the need for
UNEA resolutions from their perspective, giving an outline of a potential resolution. MS could pick up these suggestions and submit respective drafts in advance of the next UNEA.