

Note on the use of the term “United Nations Environment”

Introduction

1. The Secretariat’s advice has been requested on the “process for the use of UN Environment”. As indicated in the Note of the Executive Director dated 24 October 2017 on “Communicating in a More Straight forward and Impactful Way” the process for authorizing the use of this term, is for the United Nations Environment Assembly to adopt a Decision, that will then be contained in the report of the third session of the Assembly for consideration by the General Assembly. As to whether the United Nations Environment Assembly has the mandate to adopt such a Decision, our views are set out below.
2. We would like to recall that a Decision on the use of the term “UN Environment” as the short form is not intended to change the official name and mandate of the United Nations Environment Programme as set out in General Assembly resolution 2997 (XXVII) of 15 December 1972. Furthermore, such a Decision, once adopted will not affect the official documentation from the Secretariat, including resolutions, official reports and documentation pertaining to the Governing Bodies of the Programme, which will continue to be published under the full name of the Programme. Consequently, the Decision will not amend any of the provisions of resolution 2997 (XXVII) or their applicability.
3. Whether the term “UN Environment” should be used as a short form relates to how the United Nations Environment Programme communicates. Thus, it is a question of policy.

Mandate and Rules of Procedure

4. In the first instance, we would also like to emphasize the principle of subsidiarity, pursuant to which a subsidiary body of the United Nations that has been created by the General Assembly, takes Decisions on questions that fall within its mandate. Once these Decisions are adopted they are forwarded to the General Assembly for review.
5. In this particular case, United Nations Environment Programme has been created and charged with, inter alia, adopting policy guidance on questions relating to the environment. Pursuant to operative paragraph 1 and 2 of resolution 2997 (XXVII), the General Assembly entrusted the Governing Council and now the United Nations Environment Assembly with a set of functions and responsibilities, which includes in paragraph 2(a), “provid[ing] general policy guidance for the direction and co-ordination of environmental programmes within the United Nations system”.
6. The mandate of the United Nations Environment Programme and its governing bodies has been further strengthened by General Assembly resolution 66/288 of 27 July 2012 that endorsed the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”, annexed to the resolution. Operative paragraph 88 of the outcome document stated a commitment by Member States “to strengthening the role of the United Nations Environment Programme as the leading global environmental authority that sets the global environmental agenda,

promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system and serves as an authoritative advocate for the global environment”.

7. The General Assembly by resolution 67/213 of 21 December 2012 and the Governing Council itself, by its Decision 27/2 of 22 February 2013 has also recognized the United Nations Environment Programme as the leading global environmental authority that sets the global environmental agenda, promotes the coherent implementation of the environmental dimension of sustainable development within the United Nations system and serves as an authoritative advocate for the global environment. In addition, Decision 27/2 provides that the open-ended Committee of Permanent Representatives would provide “advice to its governing body on policy matters.”

8. Under the rules of procedure of the United Nations Environment Assembly and specifically Rule 45, it is ultimately the Assembly itself that takes a decision as to whether it is competent to adopt any proposal or amendment submitted to it.

Conclusion

9. Consequently, and in our view, it falls within the purview of the United Nations Environment Assembly to consider a Decision on the use of the short form “UN Environment”. Once adopted, this Decision will be included as one of the Decisions in the report of the third session of the United Nations Environment Assembly to be reviewed by the General Assembly at its 72nd session. It will be then for the General Assembly to take further action, if it deems appropriate.
