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**United Nations Environment
Assembly of the United Nations
Environment Programme**

**Committee of Permanent Representatives to the United
Nations Environment Programme**
136th meeting
Nairobi, 29 September 2016

**Draft minutes of the 135th meeting of the Committee of
Permanent Representatives to the United Nations Environment
Programme, held on 14 June 2016**

Agenda item 1

Opening of the meeting

1. The meeting was opened at 9.30 a.m. on Tuesday, 14 June 2016, by Ms. Julia Pataki, Ambassador and Permanent Representative of Romania to the United Nations Environment Programme (UNEP) and Chair of the Committee of Permanent Representatives to UNEP.
2. The meeting was attended by 92 participants representing 56 members, and 4 participants representing 2 observers and 1 non-governmental and intergovernmental organization.
3. The Chair welcomed Mr. Jono Sastromihardjo, Ambassador and Permanent Representative of Indonesia, as a new member of the Committee.
4. She bade farewell to Mr. Sunu Mahadi Soemarno, Ambassador and Permanent and Representative of Indonesia and to the following members who would soon be departing: Ms. Bibiana Jones, Ambassador and Permanent Representative of Argentina; Ms. Maria Eugenia Correa Olarte, Ambassador and Permanent Representative of Colombia; Ms. Corinna Enders, Deputy Permanent Representative of Germany; and Mr. Tobias Glucksman, Ambassador and Permanent Representative of the United States of America.

Adoption of the agenda

5. The Chair proposed, and the Committee agreed, to consider together agenda items 3 and 4, concerning, respectively, a report by the Executive Director on activities undertaken by UNEP since the 134th meeting of the Committee and an evaluation of the second session of the United Nations Environment Assembly of UNEP. The agenda was adopted as orally amended on the basis of the provisional agenda (UNEP/CPR/135/1).

Agenda item 2

**Adoption of the draft minutes of the 134th meeting of the Committee of
Permanent Representatives, held on 3 May 2016**

6. The Committee agreed to defer to its 136th meeting the adoption of the draft minutes of its 134th meeting, held on 3 May 2016 (UNEP/CPR/135/2).

Agenda item 3

Report of the Executive Director to the Committee of Permanent Representatives

Agenda item 4

Evaluation of the second session of the United Nations Environment Assembly of UNEP

7. At the suggestion of the Chair, the Committee agreed to consider agenda item 3 in conjunction with agenda item 4. Introducing both items, Mr. Achim Steiner, Executive Director of UNEP, provided an oral report of activities undertaken by the UNEP secretariat since the 134th meeting of the Committee of Permanent Representatives, held on 3 May 2016, including the holding of, and lessons learned from, the second session of the United Nations Environment Assembly of UNEP.

8. With regard to the second session of the Environment Assembly, held in Nairobi from 23 to 27 May 2016, he said that the session had broken records on several fronts, including with respect to participation, with over 1,300 participants from 174 countries, including 123 countries represented at the ministerial level, and 400 major group representatives; the holding of the first Science-Policy Forum and of the Sustainable Innovation Expo that had put a spotlight on the close link that existed between environmental policymaking on the one hand and science and technology on the other; the active participation of the scientific community, major groups and other stakeholders; an unprecedented amount of preparatory work conducted by the Committee of Permanent Representatives, including during its open-ended meeting and subcommittee meetings; and the adoption of 25 resolutions on key environmental matters that would guide the global environmental agenda in the context of important international agreements such as the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change.

9. As for lessons learned during the session, they included the need for Governments to deal with divisive issues that were common to many multilateral processes and were partly responsible for the failure of the Environment Assembly to reach consensus on the outcome document of the high-level segment of its second session, such as the principle of common but differentiated responsibilities and the concept of the green economy and other paths to sustainability, by finding formulations that could be used in those multilateral processes; and the need for creative thinking to better organize the high-level segment of Assembly sessions to elicit a dialogue between ministers.

10. Another lesson could be learned from the closing plenary of the second session, during which the secretariat had hesitated on the interpretation of the Environment Assembly rules of procedure when dealing with a draft resolution that requested UNEP to conduct an environmental assessment in the Gaza strip. Such hesitation had resulted in a loss of confidence in the secretariat by Member States. Following the session, however, the secretariat had consulted with the Office of Legal Affairs, which had confirmed that its interpretation of rule 32 of the rules of procedure, regarding the quorum for decision-making, had been correct. The Office of Legal Affairs had also confirmed that the adoption of 25 resolutions by the Environment Assembly at its second session had been procedurally correct. The closing plenary had demonstrated that the secretariat must provide clear guidance to Member States regarding the application of the rules of procedure and that there was a need to review and possibly amend the Environment Assembly's rules of procedure regarding voting to clarify their meaning and minimize ambiguity.

11. Together, the newly elected Bureau of the Assembly and the Bureau of the Committee of Permanent Representatives would have an opportunity to reflect on lessons learned from the second session of the Assembly and propose ways to improve the functioning of future sessions. Despite the difficulties experienced during the second session, an initial evaluation of 250 survey responses revealed that the majority of respondents were of the view that the session had been a success.

12. With reference to other activities undertaken by the secretariat since the 134th meeting of the Committee, UNEP had helped the Government of Angola to organize World Environment Day celebrations, which had included 3,500 registered events and had raised awareness of the serious implications of illegal trade in wildlife, thanks to the launch by UNEP and the International Criminal Police Organization of a report entitled *The Rise of Environmental Crime*; of the United Nations "Wild for Life" campaign against the illegal trade in wildlife, which 36,000 people had joined. The celebrations also raised awareness about the extraordinary efforts being undertaken by Angola, Botswana, Namibia, Zambia and Zimbabwe to manage one of the largest contiguous wildlife areas on the planet.

13. Other activities included the participation of Mr. Ibrahim Thiaw, UNEP Deputy Executive Director, in the eighth ministerial conference on “Environment for Europe”, held in Batumi, Georgia, from 8 to 10 June 2016, which showed the close cooperation that existed between UNEP and the Economic Commission for Europe, and the Executive Director’s trip to Nigeria to attend the launch of a clean-up operation in Ogoniland. UNEP had helped to bring about the clean-up with the release in 2011 of a report entitled *Environmental Assessment of Ogoniland* and the facilitation of a dialogue between different levels of government, oil companies and the local community to tackle oil pollution in Ogoniland. At the sixty-ninth session of the World Health Assembly, held in Geneva from 23 to 28 May 2016, decisions and resolutions regarding air pollution, chemicals and health had been adopted that demonstrated the close collaboration built over many years between UNEP and the World Health Organization.

14. Turning to administrative matters, he said that UNEP had submitted to United Nations auditors its 2015 financial report, which together with the programmes of work and budgets for the bienniums 2016–2017 and 2018–2019 showed that, with the exception of the Environment Fund, to which contributions were urgently needed, UNEP was in a good financial position to carry out its mandate. On 15 June 2016, the secretariat would complete the formal handover of financial, managerial, human resources and other major documents to Mr. Erik Solheim, the incoming Executive Director of UNEP, who would officially assume his duties on 28 June 2016. At the request of the Secretary-General of the United Nations, the Deputy Executive Director would act as Executive Director ad interim from 15 to 27 June 2016. In closing, he expressed his gratitude to the UNEP team and to the Committee for the support they had provided to him over the years and in the current transition period.

15. In the ensuing discussion, representatives thanked the Executive Director for his report. All those who spoke paid tribute and expressed their gratitude to Mr. Steiner for his outstanding performance as the Executive Director of UNEP over the previous ten years, saying that he had transformed and strengthened the Programme into a global authority that set the environmental agenda. UNEP was the voice of the environment in the United Nations system governed by a universal body. He had greatly extended the circle of stakeholders involved in environment-related work, including in the United Nations system and in the financial sector, and applied high-quality working methods and internal management procedures to deliver UNEP’s programme of work.

16. With regard to the second session of the Environment Assembly, most of the representatives who spoke, including three speaking on behalf of groups of countries, said that the session had been a success by many standards, including the broad level of participation achieved, including at the ministerial level; the significant media coverage generated, including by media outlets from developing and least-developed countries that had received funding from the secretariat; the diversity of subjects discussed and; the adoption by consensus of 25 resolutions that integrated the environmental, social and economic dimensions of sustainable development and acknowledged the role of UNEP and the Environment Assembly in delivering on the environmental dimension of the 2030 Agenda. They commended the holding of a significant number of illuminating side events; and the use of innovative Internet and mobile phone applications that had been of great value to representatives and should continue to be used in future Assembly sessions. One representative suggested that a summary of the discussion at and main outcomes of the side events held during the second session of the Environment Assembly should be produced.

17. Several representatives, including two speaking on behalf of groups of countries, expressed regret that the negotiations on the outcome document of the high-level segment of the second session had not been finalized, with one also lamenting that no agreement had been reached at the session on the stakeholder engagement policy. One representative expressed the hope that the Assembly would adopt a strong ministerial outcome at its third session in 2017, while another said that his Government hoped for the adoption of such a declaration, and looked forward to the launch of the sixth *Global Environment Outlook* report, to be finalized in 2018, at the fourth Assembly session in 2019.

18. A number of representatives drew attention to specific resolutions adopted by the Assembly at its second session. Two representatives said that resolution 2/15, on protection of the environment in areas affected by armed conflict, contained universal goals that applied to all situations, with one expressing confidence that the implementation of the resolution would foster environmental protection in areas affected by conflict and reduce conflict-related environmental impacts. Another representative said that his Government was pleased that resolution 2/7, on the sound management of chemicals and waste, highlighted the role of the private sector in such management, that resolution 2/5, on delivering on the 2030 Agenda for Sustainable Development, addressed gender and human rights issues, and that resolution 2/6, on supporting the Paris Agreement, encouraged UNEP to increase its climate-related work. Satisfaction was also expressed at the Environment Assembly’s decision to change the cycle of its sessions to odd years and to elect its Bureau at the end of each session, which, according to two

representatives, would enable the Bureau to better prepare for the following session for which it would be responsible.

19. Two representatives, including one speaking on behalf of a group of countries, urged Member States to start working on the implementation of the resolutions adopted by the Assembly at its second session. One representative said that his Government, in cooperation with UNEP, would organize a consultation meeting at the end of June 2016 on the implementation of resolutions that were of particular relevance to his country. Two representatives said that their Governments looked forward to receiving support from UNEP in their efforts to implement the resolutions, with one suggesting that priority should be given to developing countries and countries with economies in transition in the provision of such support.

20. While the success of the second session of the Environment Assembly was widely recognized, many representatives said that the secretariat and Member States must reflect on lessons learned from the session to improve the functioning of the Assembly, with several indicating that they would submit to the secretariat written comments and suggestions for improvement for consideration by the Committee. One representative speaking on behalf of a group of countries, proposed that an open-ended working group of the Committee be established to discuss and follow up on comments and suggestions provided. She also expressed support for the holding of a retreat for the Committee and the Bureau of the Environment Assembly, which had been proposed by the President of the Assembly and would help to ensure that the success of the third session of the Assembly.

21. Many representatives drew attention to lessons learned from the second session of the Assembly, including the need to prioritize themes and limit the number and length of resolutions to be considered by the Assembly; to set time limits for the negotiation of draft resolutions; to determine, prior to Assembly sessions, how draft resolutions would be clustered and discussed and to maintain the structures used during the intersessional period to discuss the resolutions; to find ways to avoid repetitive statements by representatives; to schedule side events of relevance to the negotiations in ways that made it possible for representatives to attend such events; to modify the set-up of the high-level segment to elicit an interactive dialogue between ministers, for instance by giving ministers a clear role in the discussion and by relying on facilitation rather than a panel format; to ensure that the secretariat was fully prepared to guide Member States in the application of the Assembly rules of procedure, in particular those regarding voting, and to examine voting-related rules to determine whether they should be amended to clarify their meaning; to limit the number of formal and informal negotiating sessions held simultaneously to enable small delegations to participate in all Assembly deliberations; to review the procedures for selecting the chairs of the Committee of the Whole and working and drafting groups so as to guarantee the transparency of the selection process and ensure a balanced representation of all regions in such bodies; to ensure greater transparency and consultations with regional groups in the negotiations and decision-making processes; to ensure that the mandates of the secretariat, Bureau and chairs of various groups were clearly defined; and to improve the allocation of meeting rooms.

22. One representative, speaking on behalf of a group of countries, said that efforts should be made to guarantee the prompt translation and distribution to Member States of all Assembly working documents as well as those produced after each session. Speaking on behalf of another group of countries, she further suggested that interpretation services be provided during meetings of working and drafting groups whenever plenary sessions were not being held and that the accuracy of interpretations be ensured. Another representative suggested that, starting with the fourth session of the Assembly, regular Assembly sessions be held earlier in the year so that they would not compete with meetings of other forums dealing with sustainable development issues.

23. With regard to the preparations for the second session of the Environment Assembly, one representative speaking on behalf of a group of countries said that lessons learned included the need to discuss how to better support the negotiations on draft resolutions by avoiding a reopening discussions on language previously agreed by the Committee; to discuss which draft resolutions could be discussed in depth by the Committee and which resolutions would better be dealt with through informal discussions; and to consider the timing and frequency of preparatory meetings to enable better coordination at the national and regional levels. With regard to the agenda and theme of Assembly sessions, he said that the Executive Director should be encouraged to make use of UNEP retreats and subcommittee meetings to ensure that the agenda and theme of each session were meaningful and appealing to the outside world.

24. Other lessons learned from the preparatory process highlighted by representatives were the need to enhance communication and cooperation between the bureaux of the Environment Assembly and the Committee, including with regard to the logistics and organization of Environment Assembly

sessions, and to start negotiations on the draft outcome document of the high-level segment of each Assembly session during the open-ended meeting of the Committee held prior to each session.

25. With regard to the preparatory work conducted by the Committee, one representative said that it was necessary to take into account that despite the universal membership of the Environment Assembly, many Member States had no representatives in Nairobi and would therefore not be able to participate in Committee negotiations held between Assembly sessions. Another representative, speaking on behalf of a group of countries, suggested that a channel of communication between the Committee and non-resident Member States be established to enable those States to continuously engage in the Committee's work, including through the use of videoconferences and other tools, thereby enabling consideration by the Committee of the concerns of all countries and regions in the negotiation of draft resolutions and other instruments to be discussed by the Assembly.

26. With reference to the clarification provided by the Executive Director that the secretariat's interpretation of the rules of procedure of the Environment Assembly had been correct according to the United Nations Office of Legal Affairs, one representative, supported by another, said that further clarification was needed regarding the issue of quorum; specifically, he said that consideration must be given to whether all members of the Environment Assembly, or only those who had a right to vote in a given session and voted either for or against a given decision or resolution, should be counted in order to establish a quorum. He drew attention to the official record of the 60th plenary meeting of the sixty-seventh session of the General Assembly of the United Nations (A/67/PV.60), held in New York on 20 December 2012, which he said held the answer to this issue, as it showed that the General Assembly had adopted resolution 67/139 on the basis of 54 votes in favour and 5 votes against and had not counted 118 abstentions in establishing a quorum. Two representatives said that Gaza required technical assistance from UNEP to tackle environmental issues, with one expressing the view that the legitimacy of the 25 resolutions adopted by the Environment Assembly would be undermined as long as the status of the draft resolution on Gaza remained unresolved due to a disputable interpretation of the rules of procedure regarding quorum.

27. The representative of the Holy See expressed his deep appreciation to the Executive Director, whose visionary approach and extraordinary leadership had made it possible for the Pope and the Holy See to raise awareness about the importance of safeguarding the planet as the joint home of humanity.

28. A representative of the major groups paid tribute to the Executive Director for his leadership, under which she said the participation of major groups in the work of UNEP had been enhanced. She suggested that the stakeholder engagement policy be placed on the agenda for further consideration by the Assembly at its third session.

29. Responding to comments, the Executive Director expressed his gratitude for the positive feedback and kind words. The role of the Executive Director, he said, was to provide leadership, but it was the visionary, bold and courageous people in the environmental community who had been instrumental in strengthening UNEP and securing a central place in the multilateral architecture for the Programme by being willing to challenge the status quo with a clear understanding that the environmental agenda could not solely be about protecting nature but must deal with the relationship between people and nature. He therefore paid tribute to Member States, the UNEP secretariat and the entire UNEP staff for their willingness to be led and do the work that UNEP had been entrusted to do. As the custodians of UNEP, Member States had a crucial role to play in ensuring that the Programme and the Environment Assembly, as the global environmental authority that set the environmental agenda, spoke authoritatively to bodies such as the High-level Political Forum on Sustainable Development. In closing, he thanked Ms. Pataki for leading the Committee of Permanent

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