

Statement by H.E Agrina Mussa, High Commissioner of Malawi to Kenya and Permanent Representative to UNEP and UN Habitat, Chair of G77 + China, during the 154th Committee of Permanent Representatives held online on 20th May 2021.

Let me start by thanking you Chair for this opportunity for the largest political group in the United Nations system to make its intervention during this 154th CPR Meeting, being held online as a result of the extraordinary times we find ourselves in because of the covid-19 pandemic.

Furthermore, and on behalf of the Group of 77 + China, I wish to acknowledge and thank you, Ambassador Fernando Coimbra, in your capacity as Chair of the CPR Bureau for the manner you have conducted the meetings of the CPR. Your work during the past two years is most commendable. The Group appreciates the way you have strived to ensure that CPR business is conducted in a way that ensures inclusive, transparent and results-oriented participation, notably so under the exceptional circumstances caused by implications of the covid-19 pandemic. The Group also extends its appreciation to the entire CPR Bureau for its work in ably managing the conduct of business during its tenure of office.

Before I continue Chair, our group cannot refrain from addressing the communication sent out by the Secretariat on 11th May 2021, on the eve of the extended Bureau meeting in which the issue was going to be discussed. While understanding that the Secretariat was indeed expected to issue a notification ahead of today's meeting, the way it was drafted prejudged aspects of this issue that are under active consideration by the CPR, as mandated by UNEA5.1. That was an unfortunate step and we would have expected from a neutral the Secretariat to have raised the issue in the Bureau meeting, asking for guidance on how to draft the necessary. At the same time, allow me to express our appreciation for the background

document on the relevant rules and decisions governing the elections of the CPR Bureau, which will indeed be helpful for our conversations today.

At the outset, the group would like to recall that when the issue at hand came up for discussion during the last CPR Subcommittee meeting, some tried to frame this debate in terms of which options were and which were not in line with the relevant rules and decisions. Obviously, all of us – and the G77+China in particular – are committed to adhering to them. All options put on the table by the Secretariat are legally sound and we would not have entertained a paper seeking to undermine or re-open the relevant rules and decisions. The group sees this debate as centering on policy; specifically, which one of the options is the best for the well-being of multilateralism in UNEP.

As such, and in that spirit, the least interesting option, as far as the group is concerned is option A or one as mentioned in the Secretariat's paper. On the other hand, the most interesting option for the group is option B or two. And here is why.

Firstly, it must be noted that among the objectives and purposes of the CPR is to prepare for and contribute to the UN Environment Assembly, as well as to follow-up on previous UNEA resolutions and decisions. This symbiotic relationship between the Committee and the Assembly leads to an understanding that the current Bureau of the CPR should be given room to complete its work regarding UNEA in 2022. Therefore, we are calling for the CPR Bureau in its current geographical distribution to finalise its work, the work that it had started under UNEA 5.1 consistent with the decision and spirit that has enabled UNEA 5 Bureau to finalise the second part of UNEA 5.

In this regard, let me recall that the Secretariat itself clarified through its background document, item 14, that “electing a Bureau with different

officers but from the same Member States or regional groups and holding the same positions is permissible”.

Since we are talking about a healthy multilateral engagement should we consider option one we will have a situation, where we have the same CPR Bureau doing preparations for UNEA 5.2, preparations for the Special Session of UNEA on UNEA @50, and possibly the preparations for UNEA 6. Whereas the CPR Bureau that will come after that would have roughly seven months to prepare for UNEA 7. Therefore, as we engage in discussions now, we need to be careful so as not to create more problems than those that we are trying to address now.

Thirdly option b or two speaks very well to several key principles that the group places importance on and are expounded as follows. On the one hand option two is erected on the notion of consistency and coherence, meaning that the criteria which has been adopted for the Bureau of UNEA is necessarily replicated in the Bureau of CPR. Let me emphasise that this is entirely within the rules of procedure because the interpretation of any legal text has to be taken not only in its literal sense but also taking into consideration its objective and purpose. In doing so, we cannot turn a blind eye to the fact that one of the main competences of CPR is preparation of the negotiated outcomes of UNEA.

Moreover, option B is premised on the principle of diversity in the two governance bodies of UNEA and CPR, a notion which is well accepted as being important for a healthy multilateral engagement process. It is important that we make sure that these two important organs of UNEP need to reflect regional distribution, that we are always encouraging.

Furthermore, on the other important principle of continuity, it should be emphasised that the bureau composition is by virtue of a member state representing a particular regional group. Therefore, continuity relates to the

region as much as it does to the member state or person. The Bureaus are constituted by ministers or permanent representatives because they represent a region. So, continuity also relates to the regions and not only to the country or person. This point needs to be emphasised.

Before concluding, it is necessary to provide clarity on a few pertinent issues that the group has noted. Firstly, our position in the ongoing debate is anchored in policy imperatives and therefore has nothing to do with any particular region. Therefore, diverting the discussion to this misperception will not lead us to have a constructive outcome. Secondly, as regards the issue of overlaps happening in the past, while that indeed may have happened, the current or potential overlap is not as a result of the natural flow of the regional groups but rather resulting from an exceptional, but understandable, decision to extend the term of office of the current UNEA Bureau. For the sake of consistency, we find ourselves in a situation where we need to also adopt exceptional solutions regarding the CPR Bureau. Thirdly it should not be conveniently forgotten that the presidency of Africa was delayed by a year due to the unprecedented challenges caused by the Covid-19 pandemic. Therefore, suggestions being put forward should not be viewed as being of an ill-intention against a particular region. Lastly our group believes that the most important matter at hand is the election of officers at the 154th CPR. Any other matters of systemic challenges, in our view are secondary and need not weigh us down, but could be left for other processes including the CPR based review process;

As I conclude let me reiterate that the Group of 77 and China stands in favour of option two of the Secretariat paper and remains committed in supporting the preparations for UNEA-5 part two.

I thank you Chair