



United Nations
Environment
Programme



Distr.
GENERAL

UNEP/GC.14/4/Add.2
3 November 1986

ORIGINAL: ENGLISH

GOVERNING COUNCIL
Fourteenth session
Item 4 of the provisional agenda

INTRODUCTORY REPORT OF THE EXECUTIVE DIRECTOR

Addendum

PERIODICITY AND DURATION OF GOVERNING COUNCIL SESSIONS

Summary

Addressing the question of periodicity and duration of Governing Council sessions, the Executive Director is making five specific recommendations. First, he is proposing that the Council institutionalize biennial sessions. Second, he is suggesting that the duration of the normal Council session be ten working days. Third, he is proposing that the present organization of Council sessions, with the work divided between plenary meetings and one committee of the whole, should not be changed. Fourth, he strongly recommends the continuation of the Committee of Permanent Representatives, consisting of permanent representatives to UNEP and/or Government designated officials. Fifth, in view of the fact that the General Assembly takes up the United Nations medium-term plan and the system-wide medium-term environment programme once every six years, on an even year, the Executive Director is recommending the convening of a special session once every six years, beginning in 1988, in order that the Council may take up the draft system-wide medium-term environment programme and the UNEP portion of the United Nations medium-term plan; this special session is to be held exclusively in plenary for a maximum duration of five working days.

Suggested action by the Governing Council

The Council may wish to take a decision along the following lines:

1. Decide to recommend to the General Assembly that henceforth the UNEP Governing Council should hold regular biennial sessions in odd years;
2. Further decide that its regular sessions should normally be of a maximum duration of ten working days;
3. Decide also to retain the present organization of the work of the Council;
4. Decide to continue the Committee of Permanent Representatives established by its decision 13/2;
5. Further decide to hold a special one-week session in 1988, and every six years thereafter, to consider the proposed system-wide medium-term environment programme and the UNEP part of the draft United Nations medium-term plan before submitting them to the General Assembly for its approval. These special sessions are to be held in plenary, with a maximum duration of five working days;
6. Recommend to the General Assembly that it consider changing the term of membership of the Governing Council from three to four years, beginning in 1988, with half the members of the Council being elected every two years;
7. Recommend to the General Assembly that it agree to accept the various reports it has requested from the Governing Council of UNEP on a biennial basis, in odd years.

/...

Introduction

1. In its decision 11/2 of 23 May 1983, the Governing Council addressed the question of periodicity and duration of its sessions. On the subject of periodicity, the Council decided:

"(c) That there shall be no session of the Governing Council in 1986, on an experimental basis, and that the Executive Director shall take this into account in preparing for the thirteenth session of the Council;

"(d) That in 1987 the Council shall decide finally on either option for the periodicity of its sessions in the light of the experience gained in the previous years."1/

2. In the same decision, on the subject of the duration of its sessions, the Council decided that "as from 1984, sessions of the Governing Council shall be of a maximum duration of eight working days".2/

3. Further, the Council invited permanent representatives to UNEP and/or Government-designated officials to meet the Executive Director at least three times a year, with a view to providing the requisite continuity of co-ordination and co-operation between member States and the secretariat of the Programme.3/

4. Two years later, at its thirteenth session in May 1985, the Council, "conscious of the need to establish for the intersessional period prior to the fourteenth session of the Council a more formal and regular system of consultation among Governments and between Governments and the Executive Director",4/ decided, inter alia, in its decision 13/2, paragraph 1, to establish an open-ended Committee of Permanent Representatives, consisting of permanent representatives to UNEP and/or Government designated officials, to consider and make recommendations to the Council [on the matters mentioned in decision 11/2, paragraph 3] and to take action on any other matters specifically entrusted to it by the Council. In paragraph 4 of the same decision, the Council also decided to review its decision on the establishment of the Committee at its fourteenth session.

5. A further element related to the periodicity and duration of Governing Council sessions was the agreement by the Council, in its decision 13/1, section III, paragraph 2, "to decide at its fourteenth session in 1987 on the method by which the proposed system-wide medium-term environment programme for 1990-1995 will be considered".

6. The present paper is intended to give the Governing Council an idea of the Executive Director's thinking on the periodicity and duration of Governing Council sessions and related issues.

/...

Periodicity

7. The Council's experiment of not holding a session in 1986 has resulted, as might be expected, in advantages and disadvantages.
8. The most obvious disadvantage of biennial sessions is, in the opinion of the Executive Director, the lack of a direct contact between him and the Governing Council every year. There is no doubt that both sides benefit from such annual sessions. A further disadvantage is the fact that UNEP exposure at policy-making organs such as the Economic and Social Council and the General Assembly is greatly reduced as the subject of international co-operation in the field of the environment is given almost no attention in those years in which no Governing Council session is held.
9. The most obvious advantage of biennial sessions, particularly in view of the current financial crisis of the United Nations, is the cost-saving.
10. Past experience has shown that Programme officers devote nearly three months a year to work directly related to Governing Council sessions. There are the numerous inputs and reports for inclusion in Governing Council documents, which often have to be amended or revised. There are the note-taking and report-writing duties of each Programme officer during the actual sessions of the Council. Immediately after the Council, planning begins on implementation, including the preparation of workplans and timetables, for each of the various decisions adopted by that session of the Council. This demand on the time and efforts of Programme staff is of course compensated for by the exposure given to the United Nations environmental programme in international forums. But in the absence of Governing Council sessions these efforts can be put to perhaps equally productive use. For example, the UNEP programme-wide evaluation exercise carried out late in 1985 and in the early months of 1986 would not have been possible if there had been a session of the Governing Council in 1986.
11. The attitude of the Council's parent body, the United Nations General Assembly, should also be taken into account in considering the periodicity of Governing Council sessions. The Council's decision not to hold a session in 1986 was made in May 1983. In November of that year, the General Assembly, in its resolution 38/32 D, paragraph 3, requested all its subsidiary organs (one of which is the Governing Council) "to consider, in the interests of greater efficiency, meeting and reporting on a biennial basis". The General Assembly in its resolution 38/165, paragraph 4, endorsed the decision of the Council not to hold a session in 1986. Two years later, in its resolution 40/200, paragraph 2, the General Assembly welcomed the decision of the Council to change to a biennial cycle of sessions on an experimental basis and took note of the establishment of the open-ended Committee of Permanent Representatives to facilitate that process. The Assembly also invited the Council, in paragraph 3 of the same resolution, "when reviewing the experiment with the organization of a biennial work programme, to consider changes that may in consequence be necessary in the functioning of the Council, including the term of membership".

/...

12. Given the experience gained from the experiment of not holding a session of the Council in 1986 and of the constructive continuity of the Committee of Permanent Representatives, and having carefully reviewed the advantages and disadvantages of biennial sessions, the Executive Director recommends to the Council that it consider institutionalizing biennial sessions, taking into account his further recommendations on the related issues of the duration of the session, the continuation of the Committee of Permanent Representatives, and the consideration by the Council of the system-wide medium-term environment programme, as outlined below.

Duration

13. As noted in paragraph 2 above, the Council, at its eleventh session in May 1983 decided, *inter alia*, "that, as from 1984, sessions of the Governing Council shall be of a maximum duration of eight working days".^{2/} At the time that decision was adopted, the Council was still envisaging holding annual sessions, though it did decide, in that same decision, not to hold a session in 1986, on an experimental basis. Should the Council agree to institutionalize biennial sessions, the Executive Director feels that the Council should have a full two-week period (ten working days). The reason for this recommendation is obvious: meeting only once every two years, the Council will not only have to review the work of the organization over a two-year period, but will also have to plan ahead, approving a biennial programme budget as well as a biennial budget for programme and programme support costs. A realistic assessment of past experience leads the Executive Director to believe a period of 8 working days does not give the Council adequate time to consider all the policy issues placed before it.

14. Given the pressure of this increased workload and taking into account the fact that the financial implications for a ten-working-day session are only slightly more than those for an eight-day session, the Executive Director recommends that the Council should consider reverting to its former ten working days duration. The Executive Director also feels that the present practice of dividing the work of the Council between plenary meetings and a committee of the whole is quite effective and recommends no changes in this respect.

Committee of Permanent Representatives

15. As stated in paragraph 3 above, the Governing Council, at its eleventh session, invited permanent representatives to UNEP and/or Government-designated officials to meet with the Executive Director at least three times a year. At its thirteenth session, the Council, after deciding not to hold a session in 1986, felt it was necessary to institutionalize the informal group of permanent representatives to UNEP and transform it into an open-ended Committee of Permanent Representatives consisting of permanent representatives and/or Government-designated officials, in order "to establish for the intersessional period prior to the fourteenth session of the Council, a more formal and regular system of consultation among Governments and between Governments and the Executive Director".^{4/}

/...

16. Having benefitted from his meetings with the informal group of permanent representatives to UNEP, the Executive Director supported the establishment by the Council of the more formal Committee of Permanent Representatives. The subsequent meetings of the Committee with the Executive Director, the open and frank exchange of views and the in-depth consideration by the Committee of a number of subjects important to UNEP have led the Executive Director to feel that the Committee should be continued under any circumstances. The continuation of the Committee assumes even greater importance if the Council decides to opt for biennial sessions, for it is through the mechanism of the Committee that Governments and the Executive Director can maintain a continuous dialogue. Moreover the Committee affords an opportunity to Government representatives based in Nairobi to exchange views, on a very preliminary and informal basis, on activities and issues of relevance to UNEP.

17. Thus, the Executive Director strongly recommends the continuation of the Committee of Permanent Representatives as an invaluable mechanism for regular consultations among Governments and between Governments and the Executive Director.

Consideration by the Council of that portion of the United Nations medium-term plan related to UNEP, and of the proposed system-wide medium-term environment programme

18. The Council, in its decision 13/1, section III, paragraph 2, agreed to decide at its fourteenth session in 1987 on the method by which it would consider the proposed system-wide medium-term environment programme for 1990-1995. The medium-term programme, which is formulated with the co-operation and assistance of the entire United Nations system, is submitted once every six years to the General Assembly. The Executive Director would like to recall that in its resolution 2997 (XXVII), section I, paragraph 2 (b), the General Assembly charged the Governing Council with the responsibility of providing "general policy guidance for the direction and co-ordination of environmental programmes within the UN system". For that reason, the Council would not be discharging its functions and responsibilities if the proposed system-wide medium-term environment programme for the United Nations system were submitted to the General Assembly without the Assembly having the benefit of the views and comments of the Governing Council, the principal United Nations intergovernmental body charged with providing guidance on environmental programmes within the United Nations system.

19. The submission of a proposed system-wide medium-term environment programme to the General Assembly every six years coincides with the consideration by the Assembly of the United Nations medium-term plan, which also covers a six-year period. It is customary that the governing body of each United Nations body concerned should review the part of the plan relevant to it. Thus, the Council would be expected to decide on the UNEP portion of the United Nations medium-term plan.

20. The six-year cycles of system-wide medium-term environment programme and the United Nations medium-term plan coincide. We are nearly two-thirds through the present cycle, 1984-1989, and the next cycle will cover the period 1990-1995. The next proposed system-wide medium-term environment programme as well as the proposed United Nations medium-term plan for the period 1990-1995 are scheduled for consideration by the General Assembly at its forty-third session in 1988, a year in which - if the Council opts for biennial sessions - there will be no session of the Council, as the biennial sessions will have to be held on odd years, in line with the biennial programme budgeting of the General Assembly.

21. In light of the above, the Executive Director recommends to the Council that it consider, if it opts for biennial sessions, the convening of a special session, once every six years, beginning in 1988 on even years in which the system-wide medium-term environment and the United Nations medium-term plan are to be submitted to the General Assembly. That special session should be of a maximum duration of five working days, normally in the month of February, and should be limited to the consideration of two substantive agenda items, namely the draft system-wide medium-term environment programme and the UNEP input into the United Nations medium-term plan. As it is envisaged that all meetings would be in plenary session, costs to the United Nations would be very low.

Notes

- 1/ Governing Council decision 11/2, paragraphs 2 (c) and (d).
- 2/ Governing Council decision 11/2, paragraph 2 (a).
- 3/ Governing Council decision 11/2, paragraph 3 (a).
- 4/ Governing Council decision 13/2, second paragraph of the preamble.
