

Mandate of the CPR and Rules of Procedure of UNEA

UNEP SEPTEMBER 2025 ORIENTATION SESSION

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25 September 2025



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I. Mandate of the CPR

Membership of the CPR

GC Decision 19/32: Governance of the United Nations Environment Programme

- That the Committee of Permanent Representatives shall consist of the representatives of all States Members of the United Nations and members of its specialized agencies, and the European Community, accredited to the United Nations Environment Programme, whether based in Nairobi or outside;
- That the Committee of Permanent Representatives shall elect a Bureau composed of a Chairperson, three Vice Chairpersons and a Rapporteur, for a period of two years, taking into account the principles of rotation and equitable geographical representation;
- That the Committee of Permanent Representatives shall hold four regular meetings a year. Extraordinary meetings may be also convened by its Chairperson, after consultation with the other members of the Bureau or at the request of at least five members of the Committee. The Committee of Permanent Representatives may establish subcommittees, working groups and task forces as deemed appropriate to carry out its mandate.



Mandate of the CPR

- **GC Decision 13/2 (1985)** charged the CPR with deliberating on and forwarding recommendations to the GC on specific matters detailed in OP 3 of GC Decision 11/2 (1983), such as:
 - Administrative, budgetary, and program-related affairs;
 - Monitoring the progression of the programme and resolutions of the GC;
 - Addressing propositions put forth by permanent representatives or the Executive Director;
 - Carry out the tasks entrusted to it by the Committee and the Chair.
- **GC Decision 19/32 (1997)** broadened the CPR mandate by tasking it with:
 - The capacity to review and advise on the GC's decisions relating to administrative, budgetary, and programmatic concerns;
 - Preparing draft decisions for consideration by the GC based on inputs from the secretariat and on the results of the functions specified above.
- **GC Decision 27/2 (2013)** further delineated the CPR's functions, notably to:
 - Assist in preparing the agenda for UNEA;
 - Providing policy guidance to UNEA;
 - Preparing decisions for adoption by UNEA;
 - Organizing thematic debates;
 - Enhancing participation of non-resident members, particularly from developing nations;
 - Executing additional tasks as delegated by UNEA.



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II. UNEA Rules of Procedure

Credentials

All Member States are required to present credentials for each session of the UN Environment Assembly pursuant to the Rules of Procedure of the Assembly (**Rules 16 and 17**).

For high-level plenaries of UNEA – Member States are requested to submit **credentials signed by either the Head of State or Government or Minister of Foreign Affairs**. However, **other formal communications** containing the names of representatives, such as letters and Note Verbales from the Permanent Missions or formal communications from Government Ministries, may be sufficient provided that some conditions are met.

For subsidiary bodies of UNEA – Credentials signed by Head of State, Head of Government or Minister for Foreign Affairs are not usually required to participate. Representatives of Member States, as well as representatives of the Holy See, the State of Palestine and the European Union are required to **register through the online platform** by uploading a formal letter or Note Verbale from their Embassy or Permanent Mission addressed to the Secretariat containing the composition of delegation.

Credentials and formal registrations are subject to **review and approval by the Secretariat**.



Functions of the UNEA Bureau



- To **assist the President** in the general conduct of business of the United Nations Environment Assembly (**Rule 18(1)**).
- To **examine the credentials** and submit its report to the United Nations Environment Assembly (**Rule 17(2)**).
- To **guide the CPR**:
 - To ensure that the UNEA theme provides a framework for political debate at the high-level segment as well as for official UNEA events (Final review of the consensual process of review by the CPR, paragraph 1);
 - To create an optimal balance between political negotiations, the UNEA high-level segment, and official and non-official UNEA events (Final review of the consensual process of review by the CPR, paragraph 5);
 - To strengthen the contributions and active participation of multilateral environmental agreements (MEAs) to UNEA to promote coherence between the UNEA resolutions and the MEAs governing bodies' decisions (Final review of the consensual process of review by the CPR, paragraph 6);
 - To strengthen the science-policy interface at UNEA (Final review of the consensual process of review by the CPR, paragraph 8).

Decision-making by Consensus

- In the UN practice, most proposals are adopted by **consensus**.
- Consensus is generally understood to mean **adoption of a decision without formal objections and vote**; this being possible only when no delegation formally objects to consensus being recorded, though some delegations may have reservations to the substantive matter at issue or to a part of it. The fact that consensus is recorded does not necessarily mean that there is “unanimity”, namely, complete agreement as to substance and a consequent absence of reservations. For example, there are numerous occasions where States make declarations or reservations to a matter at issue while not objecting to a decisions being recorded by consensus.
- Within the practice of the UN **explanation of votes** before and after the vote are permitted even when a proposal is adopted by consensus.

Decision-making by Vote

- The **methods of voting** are outlined in **Rule 50**: (1) Show of hands, (2) Roll call, and now (3) electronic means.
- Whether a draft proposal or resolution has been adopted by a vote is determined based on whether the draft resolution has met the required majority, i.e., a **majority of those present and voting**, which is determined exclusively based on the affirmative and negative votes cast (**Rule 49**).
- The mere fact that the number of votes (i.e., yes, no, and abstentions) recorded is less than a majority of the Members of UNEA is insufficient evidence that a majority (i.e., quorum) was not present, since there is **no obligation to vote**. Thus, representatives may be physically present for the purpose of quorum but not participate in the voting process.



Voting

Rule 48

Each member of the United Nations Environment Assembly shall have one vote.

Majority required and meaning of the expression “Members present and voting”

Rule 49

1. Except where the present rules of procedure expressly provide otherwise, decisions of the United Nations Environment Assembly shall be made by a majority of the members present and voting.
2. For the purpose of these rules, the phrase “members present and voting” means members present and casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Right to vote

“Finally, as you are aware, it has become common practice for many organs of the United Nations to operate on the basis of consensus. At the same time, except in those rare cases where decision-making is formally limited to consensus, it is understood that delegations are entitled to request a vote and cannot be deprived of this right merely because the body concerned has agreed to operate by consensus. There are delegations, however, which contest the constitutional validity of express provisions limiting decision-making exclusively to consensus.”

United Nations Juridical Yearbook - 21 September 1987

Observers of international non-governmental organizations

Rule 70

- International NGOs having an interest in the field of the environment referred to in section IV, paragraph 5, of General Assembly resolution 2997(XXVII), may designate representatives to **sit as observers** at public meetings of the CPR. UNEA shall adopt and revise, when necessary, a list of such organizations.
- May **make oral statements** on matters within the scope of their activities, upon the invitation of the Chairperson, and subject to the approval of the CPR.
- Can **circulate written statements** related to the items on the agenda through the secretariat.





Questions?

Thank you

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