# Discussion Note 2: EMG modalities and Rules of Procedure

Implementation of the Recommendations of the Report on Maximizing the Effectiveness of the EMG in the Context of the 2030 Agenda for Sustainable Development

## Introduction

The 20thmeeting of the Senior Officials of the EMG agreed to establish a Task Team to consider the EMG’s mandate, Terms of Reference (ToR), effectiveness and fitness for purpose in the context of the 2030 Agenda for Sustainable Development. In December 2015, the Task Team released the report *Maximizing the effectiveness of the EMG in the context of the 2030 Agenda for Sustainable Development* that captures key findings and recommendations on issues related to EMG’s modalities of work as well as substantives issues related to EMG’s mandate and future focus to maximize its effectiveness in supporting the 2030 Agenda and the Sustainable Development Goals (SDGs).

In line with decision VIII of the SOM 22 in September 2016, this note has been prepared by the Secretariat to stimulate a discussion by the Task Team on the implementation of recommendations regarding the strengthening and renewal of EMG modalities and procedures, in the following areas:

1) Selecting issues for the EMG agenda

2) EMG modalities of work, including the modalities of the Senior Officials Meetings and EMG working methods

3) EMG Communication and reporting.

The proposals relate to recommendations put forward in the EMG Effectiveness Report and are substantiated by the experiences of the EMG Secretariat in exercising the modalities of its work. Once discussed and agreed by EMG Members, it is suggested that these proposals be considered as part of rules of procedure for future EMG work. For the ease of the consideration, the proposals are brought together in draft Rules of Procedure as Annex 1 to the EMG ToR.

## 1. Selecting Issues for the EMG Agenda

EMG members normally meet once a year for the Senior Officials Meeting (SOM) to discuss issues to be addressed by the EMG and to establish Issue Management Groups (IMGs), Consultative Processes and Task Teams on environmental topics that warrant system-wide cooperation. Issues are brought to the SOM for discussion either by the EMG Members or by the Secretariat based on observations and a perceived added value in addressing the topic collectively. Issues are occasionally also raised ad hoc by the Senior Officials during the SOM.

The Effectiveness Report suggests that the Senior Officials should play an influential role in the identification of strategic issues to strengthen the mandate and ensure organizational support for the identification of possible themes for engagement. The Report also recognizes a need to explore more flexible and innovative ways to engage all EMG Members in the process of identifying issues for action in order to strengthen the buy-in of EMG Members and encourage their active participation in the EMG's work.

As a more recent practice, the EMG Secretariat invites EMG members to propose potential new topics of work for consideration at the midterm meeting of the technical segment. This is done with the view to encourage a more system-wide engagement and to widen the scope of issues discussed. There are, however, no defined criteria for identifying such issues or their fit within the EMG agenda, which risks making the process less effective and unfocused. Clearly defined criteria could help agencies grasp the value of an EMG contribution, as well as judge whether an issue fits the EMG context. Clearly defined options and a structured routine for bringing issues to the EMG would also facilitate an effective preparation of the EMG SOM by the Secretariat.

***Relevant recommendations in the Effectiveness Report***

*I. EMG processes that are initiated or fully supported and monitored by senior officials (or handed down by top management in the UN) are likely to generate more engagement and interest at the technical level.*

*V. EMG activities are likely to be effective if they enjoy full and joint ownership of concerned EMG Members, are aligned with the mandates of EMG members, and can help members in achieving objectives in line with mandates provided by their governing bodies.*

*VII. Complement the current EMG issue-based approach with a more regular strategic review of key environmental themes (e.g. chemicals, biodiversity) in order to identify, in a timely manner, opportunities for strengthened coordination and potential EMG contributions.*

*XII. Identify EMG issues in a more structured way through a set of criteria developed in consultation with EMG focal points and their senior officials.*

#### Proposal for selecting issues for the EMG agenda

The following elements are proposed as criteria and procedures for the selection of issues for the EMG Agenda:

**Proposed Criteria for the Selection of Environmental Issues**

1. The environmental issue should be of relevance to the environmental agenda;

2. The environmental issue should be of interest to the majority of EMG Members;

3. The environmental issue should warrant system-wide collaboration and coordination;

4. The environmental issue is not currently being addressed by any other interagency mechanism;

5. The proposed work on the environmental issue builds on work undertaken in similar areas within the UN system.

##### **Proposed Procedures for the Selection of Environmental Issues**

An environmental issue should be considered by the EMG when it is:

1. Suggested by the Secretary General or the Chief Executives Board (CEB) through the EMG Chair;

2. Suggested by one, or a group of UN agencies in a Concept Note highlighting the purpose and expected contribution by the EMG. [[1]](#footnote-1) The Note should be presented to the EMG preparatory mid-term meeting held in April-May of each year;

3. Consistent with the EMG criteria and suggested by the mid-term meeting to the SOM for approval.

## **2. EMG Modalities of Work**

### **2.1. The Senior Officials Meeting**

According to the EMG’s ToR, the EMG shall have a two-tiered structure comprised of time-bound technical issue management groups and a senior-level decision making body ,“consisting of senior-level officials from member organizations of the Group”. The ToR further states that the Members of the Group shall meet at least once a year and that the Group shall be chaired by the Executive Director of the United Nations Environment Programme (hereafter UN Environment).

Traditionally, the Senior Officials Meeting is convened annually in conjunction with the UN General Assembly in New York to facilitate high-level participation. The Executive Director of UN Environment serves as Chair of the SOM. Other member agencies are often designated to support and co-chair the meeting.

The Effectiveness Report recognizes the challenge that, while the predictable and stable scheduling of the SOM has worked better than the ad hoc arrangements of prior years, in practice, the SOM has been attended less and less by Heads of Agencies and senior staff, largely because it often conflicts with other obligations in their busy schedule during the opening week of the GA. The opportunity to organise the SOM at another point in time (possibly in connection with another high-level meeting) could lead to increased high-level representation at the meeting. Different ways of organizing the SOM to make the meeting compelling enough to attract senior participation (such as choosing a thematic focus, introducing a solid co-chairing/hosting regime, and increasing opportunities for information exchange among peers) could also be tested .

***Relevant recommendations in the Effectiveness Report***

*III. An important benefit of the EMG is that it can mobilize organizations beyond the core agencies collaborating on a particular issue.*

*VI. Explore use of other modalities such as, focus group discussions, strategic policy dialogues, and more substantive deliberations at the SOM to discuss strategic issues and opportunities.*

*X. Ensure more senior-level engagement, including through: 1) Ensuring that Senior Representatives have an active role in the SOM as chairs, moderators, panelists, etc. and are included in the programme 2) Minimize discussion on technical issues and draft decisions, unless final matters need to be clarified taking into account their strategic and political impact; and 3) Use the SOM to discuss issues of strategic relevance and to explore issues for possible future action of the EMG.*

*XIV. Strengthen joint ownership of the EMG, by systematically exploring joint chairing arrangements, sharing of in-kind resources to support EMG activities, etc.*

#### Proposal with regard to the modalities of the Senior Officials Meeting

i. Overview

A senior level decision-making body (Senior Officials) shall comprise EMG Members, which encompasses Heads of Agencies or their designated senior staff responsible for environmental programmes. The Senior Officials will meet at least once a year on the invitation of its Chairman. They will, in particular:

- Engage in high-level strategic discussions on pertinent environment-related topics;

- Identify the specific issues to be addressed by the Group;

- Establish, as appropriate, an ad hoc issue management group, consultative process or other working modality for each specific issue identified; - Decide on the mandate and time-frame, and adopt the reports of each such group/process/ modality;

ii. Chairing Responsibilities

The Executive Director of UN Environment chairs the SOM. However, another lead agency can be designated as Co-chair of the SOM. Co-chairing arrangements can be rotated among the EMG members.

iii. Process, Participation and Timing

The Senior Officials Meeting is an in-person meeting, the timing and venue of which will be decided by the Senior Officials. In preparation for the SOM, a virtual meeting of the EMG focal points may be held two to three weeks in advance of the SOM to review and finalise draft decisions.

The meeting of the Senior Officials will be composed of two segments:

a) A technical segment attended by EMG focal points to consider progress report and proposed recommendations;

b) A senior segment attended by the EMG Senior Officials to approve the reports and adopt the EMG work plan for the coming year.

The SOM will be held over two days, with at least one day in between the technical and senior segments to allow for proper briefings of the Senior Officials.

iv. Preparation

The EMG Secretariat prepares the following standard documentation for the Senior Officials Meeting:

a) A draft agenda in consultation with the EMG Chair;

b) Draft progress reports and draft recommendations for further action for its work streams in close consultation with the respective work stream focal points;

c) Draft work plan for the following operational year;

d) Other background document(s) as necessary, supporting a strategic discussion by the Senior Officials.

Meeting documents are to be circulated to EMG Members as follows:

- An invitation to the SOM by the EMG Chair no later than three months in advance of the meeting.

- A draft agenda no later than one month before the meeting,

- Other meeting documents no later than two weeks in advance of the meeting.

### **2.2. EMG working methods – Issue Management Groups and other modalities**

The Effectiveness Report recognizes a number of determinants contributing to the effectiveness and success of EMG processes and work streams. While the traditional ad-hoc and time-bound Issue Management Group (IMG) concept has yielded valuable results and should, according to the Report, remain at the core of EMG action, it is seen as a time- and resource-intensive working method and effective mainly for addressing topics requiring in-depth deliberation. In addition to the traditional IMGs, the EMG has taken on new types of work streams such as Task Teams and Consultative Processes. The difference between the different types of work streams, however, has never been clearly defined and expressed. The Effectiveness Report recommends a clarification of the difference between an IMG, a Task Team and a Consultative Process, as well as of the objective and specific deliverables of an EMG process, to help provide structure and focus to the work. Joint ownership of the processes through co-chairing of the work streams or through provided (in-kind) technical support to the implementation of the agreed tasks is recommended to ensure an active engagement by EMG members.

Currently, no clear working modality exists for dealing with longer-term needs that do not match the general principle of “ad hoc” and “time-bound”, such as the need and request for support to UN agencies in their work on environmental sustainability management.

Missing is also a procedure to secure the long-term sustainability of the outcomes of the EMG’s work. When an IMG completes its tasks, there is no follow-up mechanism in place that follows up on how the outputs of the EMG are used and if they have been useful. Defining criteria for when a work stream can be closed, including for example, handing over the updating of outputs (such as produced matrixes or convening of established system-wide networks) to an agency or another inter-agency mechanism, could serve this purpose.

***Relevant recommendations in the Effectiveness Report***

*II. Each Issue Management Group (IMG) or IMGs collectively should be periodically reviewed against their ToRs and expected outputs to ensure that work is progressing well and to allow for adjustments in the ToR, should that be necessary to reflect the new developments.*

VI. *Explore use of other modalities such as focus group discussions, strategic policy dialogues, and more substantive deliberations at the SOM to discuss strategic issues and opportunities.*

*VIII. Identify in advance the outputs and intended results of each IMG in consultation with relevant bodies that may use EMG outputs to sharpen the focus of EMG activities and facilitate an evaluation of results achieved.*

*XIII. Clarify the expectations of the EMG members when an IMG is established, through Terms of Reference to be agreed by all members.*

*XVI. Strengthen joint ownership of the EMG, by systematically exploring joint chairing arrangements, sharing of in-kind resources to support EMG activities, etc.*

#### Proposal with regard to EMG working methods

i. Modality Types

The EMG addresses issues of its programme of work through different modalities engaging the interested EMG Members as follows:

a.) **Issue Management Groups**: time-bound, deals with a specific substantive issue requiring mapping , system wide strategic approach and high level commitment, consist of the majority of EMG Members with a direct interest in this topic;

b.) **Task Teams**: consist of more limited membership; assigned to deliver short-term outputs;

c.) **Consultative Processes**: prepare system-wide frameworks or heads of agency statements or long-term coordination, cooperation or collaboration;

d.) **Technical Groups**: provide inter-agency support service, support enhancing the internal environmental management, programming and operations of the UN agencies, such as by conducting peer reviews;

e.) **Working groups**: SOM, IMGs and Consultative Processes may create a working group to work on a specific task and report back to the aforementioned bodies.

f.) **EMG dialogues**: A platform for a continued exchange of policy, knowledge and perspectives among UN agencies and other stakeholders on the environment that may take place during the year with the support of the EMG Secretariat.

ii. Participation

EMG Members are invited to nominate respective focal points for an established work stream upon invitation by the EMG Chair. The focal point participates in the work stream meetings, coordinates and communicates within his or her own agency as necessary and provides input on behalf of his/her organisation to the group as requested. The focal point is responsible for informing the Secretariat in case of changed contact details or appointment of replacement.

While all Group Members have the right to accept or decline participation in any established work stream, any such group should benefit as much as possible from the participation of those organisations of the United Nations system which are most concerned with the issue at hand.

iii. Chairing Responsibilities

An EMG member agency will serve as the lead agency and chair theestablished work streams, the work of which will be organised and supported by the EMG Secretariat. The lead agency will convene and chair the meetings, while the EMG Secretariat organizes the meetings, prepare the documents, and prepare the report on the results of the Group’s deliberations. While UN Environment often takes the role of lead agency, an established work stream may nominate, by consensus, a lead agency other than UN Environment if this is found appropriate in light of the specific task.

iv. Time-frame

EMG work streams are time-bound and established by the EMG Senior Officials’ Meeting (SOM). Work streams will normally be given a one year mandate, however, mandates may be extended if required. The mandates of technical groups providing inter-agency support services can be renewed an unlimited amount of times until their services are no longer considered needed or have been taken up by a permanent mechanism. Each work stream is responsible for fulfilling its mandate within the given time-frame and for reporting on progress and results to the SOM. In case a group is not able to meet the deadline, it will submit a proposal on how and when to accomplish the task to the EMG Secretariat at least six weeks before expiration of the deadline. The Group will decide on the proposal.

v. Closing down work streams

Prior to the formation of an established modality of work, the procedure for closing down that work stream should be agreed. This agreement should include a view to support the follow-up action and strengthening of long-term sustainability of EMG work. Before a modality of work under the EMG can be closed, the following must be fulfilled:

a) The agreed tasks according the ToR for that modality of work have been delivered;

b) An inter-agency mechanism, agency or agencies which will take up the follow-up/continued coordination has been identified. The mechanism lead will be invited to report to the EMG a year after closure, based on which the necessity for further support can be discussed.

## **3. Communication and reporting**

Progress reports of the EMG have been regularly provided by its Chair to the Governing Council of UN Environment (now UNEA). The EMG also interacts through its Chair with other Interagency Bodies especially the CEB and its subsidiary bodies, as and when considered needed.

Some UN agencies have expressed interest in making the EMG progress reports available also to the governing bodies of their respective agencies to ensure follow-up and commitment to implementation of commonly agreed actions.

Communication between the EMG and its surrounding stakeholders may benefit from a clarification, and in some cases, formalisation. For example, the Effectiveness Report recognizes the importance of bringing issues in the field of environment to the attention of CEB and its subsidiary bodies in order to avoid any duplication of work that may exist or arise in the work of the different coordinating bodies. Today, no formal linkages or reporting structures exist between the EMG and the CEB, which makes such an exchange ad hoc and risks an insufficient information exchange between the two bodies. Other opportunities to strengthen synergies through enhanced communication about the EMG’s work could also be explored, such as by strengthening collaboration with ECESA Plus.

 ***Relevant recommendations in the Effectiveness Report***

1. *Effective communication and coordination within EMG agencies is considered a key determinant of effective collaboration among agencies and is critical for institutional buy-in and implementation of EMG initiatives by members.*
2. *While the main focus of the EMG is on coordination among its UN agency members, there may be value in considering systematically how EMG efforts and products may be made available to the Member States.*
3. *Determine systematically which issues addressed require consideration by the CEB and Strengthen and maximize use of existing channels of communication to interact with the CEB and its subsidiary bodies*

#### Proposal with regard to communication and reporting

i. Reporting to EMG Senior Officials

The EMG Secretariat, in close consultation with concerned EMG Members, reports on progress made and results achieved within its work streams to the EMG Senior Officials.

Reports from the EMG Senior Officials Meetings will be distributed to the EMG Members by the Secretariat for comments and approval. In order to enhance efficiency the deadline for comments should not exceed four weeks. The Secretariat will distribute copies of the approved report for information to Group Members.

ii. Reporting to Governing Bodies

UN Environment reports to the United Nations Environment Assembly on the work of the Environment Management Group as a standard reporting requirement. Agencies are encouraged to communicate their received EMG reporting to other governing bodies who may wish to receive information about the EMG work.

iii. Relationship with other inter-agency bodies

Secretariats of other UN interagency bodies such as the Chief Executives Board and ECESA Plus can attend the EMG meetings as observers.

iv. Administrative Project Reporting

The EMG Secretariat provides administrative reports to UN Environment on a biannual basis.

v. Other

The EMG Secretariat prepares ad-hoc reports as required, such as requests by the Conferences of the Parties of Multilateral Environmental Agreements, special conferences etc.

## 4. Clarification of roles and responsibilities

In addition to the above proposals, the draft Rules of Procedures aim to clarify the roles of the EMG Senior Officials, the EMG Focal Points and the EMG Secretariat.

***Relevant recommendations in the Effectiveness Report***

*XIII. Clarify the expectations of the EMG members when an IMG is established, through Terms of Reference to be agreed by all members.*

#### Proposal with regard to clarifying roles and responsibilities

**Membership**

i. Participation of Members

In line with the mandate and objectives of the Group set out above, making it an instrument to enhance further inter-agency cooperation and coordination across the United Nations system on specific issues in the field of environment and human settlements, members of the Group shall be specialized agencies, programmes and organs of the United Nations system, including the secretariats of Multilateral Environmental Agreements.

ii. Participation of Non-Members

Representatives of relevant sectors of the civil society and of international non-governmental organizations with a potential and specific expertise related to the issues being deliberated by the Group may be invited by the Chairman of the Group to participate in meetings of the Group, upon the request of the Group members , and taking due account of respective United Nations rules and procedures. They may also participate in the work of an issue management group if required by the specific issue under discussion and so decided by the group. Accordingly, the lead agency of the issue management group will invite the specific additional participants.

iii. Nomination of Focal Points

The EMG Member Agency participates in the EMG through its Head of Agency or his/her designated senior staff responsible for environmental programmes. In addition, each Member nominates one or more focal points, who will serve as the main point of liaison for EMG matters. It is the responsibility of the EMG Member to inform the EMG Secretariat in case of change of focal point.

**Environment Management Group Secretariat**

Hosting the EMG

UN Environment will provide the Secretariat for the Environment Management Group.

Responsibilities of the Secretariat

- The Secretariat is responsible for:

- Preparing and organising the annual Senior Officials Meeting and the preceding Midterm Meeting of the Technical Segment;

- Preparing the documentation for the Senior Officials Meetings;

- Facilitating the work of the EMG work streams by organising their meetings, supporting the Chairs in drafting agendas and meeting documentation, and coordinating the delivery of the agreed outputs;

- Preparing reports to Governing Bodies, including UNEA, as necessary;

- Managing the EMG project and providing regular reports on funds and project implementation to UN Environment.

1. The issue could reflect a suggestion initially put forward by a Member State through UN agencies’ governing bodies such as the United Nations Environment Assembly (UNEA) [↑](#footnote-ref-1)