



UPDATE THE LANGUAGE IN THE MODEL MEMORANDUM OF UNDERSTANDING ON ENVIRONMENTAL MANAGEMENT

Secretariat Issue Paper #18

Issue Paper Theme: **Cross-cutting**

BACKGROUND

The issue of environmental compliance and waste management was introduced in 2014 in the COE Manual's Chapter 9 on the generic model MOU, through the addition of a new article – Article 7 septies. The article, along with Annex H, was amended in the 2017 COE Manual.

Mandate language on environmental management adopted by the General Assembly and the Security Council has significantly been strengthened since the last amendment of Article 7 septies. In addition, Member States have included environment as one of the shared commitments in the Action for Peacekeeping initiative. Last, the UN has since launched an ambitious environment strategy for Peace Operations and various environmental policies, procedures and instructions. The paragraphs below provide further details on changes to mandate language since the last modification of the generic model MOU pertaining to environmental management.

The Environment Strategy was launched to support implementation of General Assembly mandate A/RES/70/286, in which the Fifth Committee *“Requests the Secretary-General to continue his efforts to reduce the overall environmental footprint of each peacekeeping mission, including by implementing environmentally friendly waste management and power generation systems, in full compliance with the relevant rules and regulations, including, but not limited to, the United Nations environmental and waste management policy and procedures.”* (paragraph 31)

This continues to be core mandate language guiding the UN's work to improve environmental management; however, Member States have monitored progress closely during the course of Phase 1 of the Environment strategy and have provided additional guidance, with the 74th session of the Fifth Committee in 2020 providing specific language in most individual mission budget resolutions noting *“the progress made in the implementation of the multi-year environmental strategy to reduce the footprint of peacekeeping operations, and requests the Secretary-General to enhance measures for the implementation of the strategy in all peacekeeping missions, in line with the five pillars of the strategy, in accordance with particular conditions on the ground and in full compliance with the relevant rules and regulations, and to report thereon in the context of his next overview report.”*

Also, during the 74th session, the Special Committee on Peacekeeping Operations (C34) in A/74/193 noted *“...the importance of the environment strategy for field missions including through the use of mission-wide environmental action plans as a tool for planning, budgeting and accountability and to support environmentally responsible*



practices in operations, including those related to mandate delivery in line with existing regulations.” (paragraph 34)

The Special Committee also reiterated “...*the shared commitment of Member States to sound environmental practices and to employ environmentally responsible solutions for all operations and mandate delivery through, inter alia, the deployment of units trained in environmental awareness to fulfil their role in good environmental stewardship and the provision of capacity and expertise in environmental management. The Special Committee further encourages greater efforts, including through the use of renewable resources, in order to achieve more efficient use of energy and water, reduce waste production, where applicable, and improve the health, safety and security of local communities and United Nations personnel.*” (paragraph 43).

The Security Council has continued to mandate consideration of environmental impact for several missions, including MINUSCA, MINUSMA, MONUSCO, UNSOS and UNAMID. For example, in S/RES/2531(2020) the Council mandates MINUSMA to “...*consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations.*” (paragraph 59)

In the “Action for Peacekeeping” (A4P) declaration, endorsed by 154 Member States, environmental management has been set out as one of the top priorities on which stakeholders (including Member States, the Security Council, host countries, troop- and police- contributing countries, regional partners, financial contributors and the United Nations Secretariat) will work together in support of UN peacekeeping. Through this declaration, stakeholders commit “*to sound environmental management by implementing the United Nations Environmental Policy for UN field missions, missions, and to support environmentally responsible solutions to our operations and mandate delivery.*” (paragraph 23)

PROPOSAL

Requirements pertaining to environmental management are detailed at Chapter 9, Article 7 septies, pertaining to military units, and Chapter 10, Article 7 septies, pertaining to police units. Environmental considerations are also detailed at Chapter 9, Annex J and Chapter 10, Annex M.

Accounting for the greater focus on environmental matters by Member States, as detailed above, it is proposed to amend the language of Article 7 septies in Chapters 9 and 10 to strengthen it with regards to the prevention of the discharge of untreated wastewater in the environment, to further encourage Troop and Police contributors to deploy renewable energy solutions in the field, while highlighting the need to consider biodiversity in their activities.

It is proposed to amend the text in Annex J (Chapter 9) and Annex M (Chapter 10) accordingly.

PROPOSED MANUAL TEXT

The proposed amendments are detailed in **Bold** and proposed removal of text is shown as ~~Strikethrough~~.

Chapter 9



Article 7 septies

Environmental compliance and waste management

7.28 Troop-contributing countries will ensure that all members of the national contingent conduct themselves in an environmentally conscious manner. They shall observe established United Nations rules and regulations applicable to the functioning of peacekeeping operations, endeavoring to achieve full compliance with the United Nations environmental and waste management policies and procedures for field missions, as set in annex K to the present memorandum of understanding.

7.28 bis National contingents will appoint, where requested by the Force Commander, officials to serve as environmental focal points. National contingents undertake that they will “do no harm” to the local environment (including wild plants and animals) and, upon departure, will leave the premises and physical environment in the condition in which it was provided to them. The only exceptions to this requirement to remediate will be in exceptional cases of operational imperative where the Mission has been informed. They will observe a policy of no littering around the bases or on patrols, **and a policy of no discharge of untreated wastewater outside the bases.** They will ~~take~~ **reduce their environmental footprint by taking** concrete steps to conserve water, **energy and other natural resources** ~~and energy~~, reduce and segregate waste, **prevent soil, water and air pollution**, ~~and properly manage hazardous waste and wastewater for which they are responsible~~, **as well as preserve biodiversity.** ~~Where possible, the use of renewable energy will be prioritized.~~ **To reduce greenhouse gas emissions, national contingents will prioritize the use of renewable energy whenever practical.**

7.29 The United Nations will provide assistance to national contingents to enable them to comply with United Nations environmental and waste management policies and procedures. Such assistance shall include providing national contingents with the agreed infrastructure and services that enable them to operate in an environmentally conscious manner. The United Nations will provide mission-specific briefings, induction and continuing training on field mission policies and procedures regarding environmental and waste management, comprising practical actions that can be taken by uniformed personnel to ensure a responsible presence in accordance with the relevant United Nations environmental policies, such as the Environmental Policy **for Peacekeeping Operations and Field-based Special Political Missions** ~~for United Nations Field Missions~~ and the Waste Management Policy ~~for United Nations Field Missions~~, **and mission-specific guidelines, standard operating procedures and directives.**

Chapter 9, Annex J

We are United Nations peacekeeping personnel

The United Nations Organization embodies the aspirations of all the people of the world for peace.

In this context, the Charter of the United Nations requires that all personnel must maintain the highest standards of integrity and conduct.



We will comply with the Guidelines on International Humanitarian Law for Forces Undertaking United Nations Peacekeeping Operations and the applicable portions of the Universal Declaration of Human Rights as the fundamental basis of our standards.

We, as peacekeeping personnel, represent the United Nations and are present in the country to help it recover from the trauma of a conflict. As a result, we must consciously be prepared to accept special constraints in our public and private lives in order to do the work and pursue the ideals of the United Nations Organization.

We will be accorded certain privileges and immunities arranged through agreements negotiated between the United Nations and the host country solely for the purpose of discharging our peacekeeping duties. Expectations of the international community and the local population will be high, and our actions, behavior and speech will be closely monitored.

We will always:

- Conduct ourselves in a professional and disciplined manner, at all times
- Dedicate ourselves to achieving the goals of the United Nations
- Understand the mandate and mission and comply with their provisions
- Respect the environment of the host country and endeavor to comply with United Nations environmental and waste management policies and procedures
- Endeavor never to litter or improperly dispose of any **waste**, material or equipment, **and never to discharge, or allow the discharge of untreated wastewater other than to UN-authorized facilities**
- **Strive to conserve water, energy and other natural resources**
- Respect local laws, customs and practices and be aware of and respect culture, religion, traditions and gender issues
- Treat the inhabitants of the host country with respect, courtesy and consideration
- Act with impartiality, integrity and tact
- Support and aid the infirm, sick and weak
- Obey our United Nations superiors/supervisors and respect the chain of command
- Respect all other peacekeeping members of the mission regardless of status, rank, ethnic or national origin, race, gender or creed
- Support and encourage proper conduct among our fellow peacekeeping personnel
- Report all acts involving sexual exploitation and abuse
- Maintain proper dress and personal deportment at all times
- Properly account for all money and property assigned to us as members of the mission
- Care for all United Nations equipment placed in our charge

We will never:

- Bring discredit upon the United Nations or our nations through improper personal conduct, failure to perform our duties or abuse of our positions as peacekeeping personnel
- Take any action that might jeopardize the mission
- Abuse alcohol, or use or traffic in drugs
- Make unauthorized communications to external agencies, including unauthorized press statements



- Improperly disclose or use information gained through our employment
- Use unnecessary violence or threaten anyone in custody
- Commit any act that could result in physical, sexual or psychological harm to or the suffering of members of the local population, especially women and children
- Commit any act involving sexual exploitation and abuse, sexual activity with children under 18, or the exchange of money, employment, goods or services for sex
- Become involved in sexual liaisons that could affect our impartiality or the well-being of others
- Be abusive or uncivil to any member of the public
- Willfully damage or misuse any United Nations property or equipment
- Use a vehicle improperly or without authorization
- Collect unauthorized souvenirs
- Participate in any illegal activities, or corrupt or improper practices
- Attempt to use our positions for personal advantage, make false claims or accept benefits to which we are not entitled
- Litter or improperly dispose of any **waste**, materials or equipment, discharge **or allow the discharge of untreated wastewater other than to UN-authorized facilities**

We realize that the consequences of failure to act within these guidelines may:

- Erode confidence and trust in the United Nations
- Jeopardize the achievement of the mission
- Jeopardize our status and security as peacekeeping personnel
- Result in administrative, disciplinary or criminal action.

Chapter 10

Article 7 septies

Environmental compliance and waste management

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and other natural resources and energy, reduce and segregate waste, prevent soil, water and air pollution, and properly manage hazardous waste and wastewater for which they are responsible, as well as preserve biodiversity. Where possible, the use of renewable energy will be prioritized. To reduce greenhouse gas emissions, national contingents will prioritize the use of renewable energy whenever practical.

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Chapter 10, Annex M

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- Respect all other peacekeeping members of the mission regardless of status, rank, ethnic or national origin, race, gender or creed
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- Maintain proper dress and personal deportment at all times
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- Litter or improperly dispose of any **waste**, materials or equipment, **or allow the discharge of untreated wastewater outside bases or UN-authorized facilities”**



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FINANCIAL IMPLICATIONS

This proposal has no foreseen implications on the reimbursement rates and other procedures in the COE Manual. It has the potential to provide financial savings by reducing resources use (particularly fuel) and the safety risks to United Nations personnel – and thus the associated medical and personnel costs. It also has the potential to reduce reputational risk and further reduce possible future host nation or local population claims against the Organization.

PREVIOUS HISTORY

The 2014 Contingent-Owned Equipment Working Group recommended that the issue of Environmental Compliance and Waste Management be included in a new paragraph – Article 7 septies – in the COE Manual’s Chapter 9 on the generic model MOU. This change was subsequently approved by the General Assembly in its resolution 66/282 of 30 June 2014.

The 2017 Contingent-Owned Equipment Working Group recommended to amend Article 7 septies and Annex H – in the COE Manual’s Chapter 9 on the generic model MOU. This change was subsequently approved by the General Assembly in its resolution 71/296 of 30 June 2017.