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GLOBAL MINISTERIAL ENVIRONMENT FORUM

REPORT ON THE IMPLEMENTATION OF THE DECISIONS ADOPTED AT THE
TWENTY-FIRST SESSION OF THE GOVERNING COUNCIL/GLOBAL
MINISTERIAL ENVIRONMENTAL FORUM

Report of the Executive Director

Summary

1. This report presents a brief overview of the implementation of decisions of the Governing Council adopted at its twenty-first session as well as financial resources. It presents also brief reports prepared in response to Governing Council decisions 21/7, 21/14, 21/15, 21/16, 21/18, 21/19, 21/24 and 21/27.

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I. OVERVIEW OF THE IMPLEMENTATION OF DECISIONS OF THE GOVERNING COUNCIL ADOPTED AT ITS TWENTY-FIRST SESSION

2. Since the twenty-first session of the Governing Council in February 2001, the United Nations Environment Programme (UNEP) has continued its efforts to fill the information and knowledge gaps on critical environmental issues through its assessment and early warning functions. It has also undertaken action to identify and help further develop the use of appropriate integrated policy measures in tackling the root causes of major environmental concerns. UNEP has strengthened its efforts to provide leadership and mobilize action for enhanced integration of international cooperation to improve the environment, particularly in relation to regional and multilateral agreements, as well as United Nations system-wide collaborative arrangements.

3. In pursuance of Council decision 21/20 and General Assembly resolution 53/242, UNEP has been strengthening its actions for enhancing policy coherence and synergy among United Nations bodies and agencies, the secretariats of multilateral environmental conventions, and other intergovernmental and non-governmental bodies. The Environmental Management Group (EMG) has become an instrument for achieving this objective. The process of consideration of international environmental governance, being carried out in accordance with Council decision 21/21, has provided additional opportunities for Governments, organizations and other stakeholders to discuss a way forward to that end.

4. Highlights of the recent activities carried out by UNEP to address the major environmental challenges, in pursuance of the decisions adopted at the twenty-first session of the Governing Council and in line with its areas of concentration, include the following:

(a) Further support to developing countries for the implementation of the United Nations Convention to Combat Desertification, and a continued review of land policy that is being complemented by the UNEP assessment strategy for land degradation and the strategy on land degradation developed by UNEP together with the Global Environmental Facility (GEF). UNEP continues to publicize best practices (success stories) in land use and control of land degradation (decision 21/1);

(b) Progress in implementing the Chemicals Agenda, including: the adoption and opening for signature of the Stockholm Convention on Persistent Organic Pollutants at a conference of plenipotentiaries held in Stockholm in May 2001 (decision 21/4); progress in the interim application of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (decision 21/3); and initiation of a global assessment of mercury (decision 21/5). A report on the need for a strategic approach to international chemicals management, prepared in response to Council decision 21/7, has been submitted to the Governing Council for consideration (UNEP/GCSS.VII/INF/1). A summary of the report may be found below;

(c) Biosafety as well as climate-change-related issues have been actively addressed through programmatic activities of UNEP, including those carried out under GEF projects (decisions 21/8 and 21/9);

(d) The implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities has been intensified. UNEP has been supporting the development and implementation of national and regional action plans to reduce and prevent degradation from land-based activities. The first intergovernmental review of the implementation of the Programme will be held in Montreal in November 2001 (decision 21/10);

(e) Freshwater and related issues has been addressed by various programme components of UNEP (GC decision 21/11). Through its International Environmental Technology Centre, UNEP has continued to promote the transfer of environmentally sound technologies for freshwater management. With regard to the work of the World Commission on Dams (WCD), following the recommendations of the November 2000 WCD report, Dams and Development, and the third meeting of the WCD Forum, Cape Town, 25-27 February 2001, consultations and negotiations to establish a UNEP Unit on Dams and Development in Cape Town, South Africa, has been initiated with the support of the United Kingdom, Germany and Sweden;

(f) On coral reefs (decision 21/12), a Coordination Unit has been established at the UNEP World Conservation Monitoring Centre (UNEP-WCMC) to handle a project on the International Coral Reef Action Network which will support coral reef management demonstration sites in four regional seas programmes. The UNEP-WCMC World Atlas of Coral Reefs was launched in September 2001;

(g) For a global assessment of the state of the marine environment (GC decision 21/13), the feasibility of establishing a regular process for such an assessment is being addressed in collaboration with the Advisory Committee on Protection of the Sea;

(h) With a total of 12 regional consultations already held, the draft of the third edition of the Global Environment Outlook (GEO-3) is being prepared. UNEP is preparing an expert report on policy issues and responses to changes in the five ecosystems (coastal, forest, freshwater, grassland and agro-ecosystems). The Millennium Ecosystem Assessment was launched by UNEP, together with the United Nations Development Programme (UNDP), the World Bank and the World Resources Institute, in New York on World Environment Day;

(i) Addressing the issue of trade and environment (GC decision 21/14), UNEP has further promoted capacity-building in the use of economic and policy tools, as well as the development and implementation of mutually supportive trade and environment policies. The Capacity-building Task Force on Trade, Environment and Development set up by UNEP and the United Nations Conference on Trade and Development (UNCTAD) expanded its programme in support of least developed countries. UNEP and the World Trade Organization (WTO) have continued their collaboration to help strengthen the implementation of multilateral environmental agreements and enhance the mutual supportiveness of multilateral environmental agreements and WTO;

(j) Support to Africa (decision 21/15) remains a priority area for UNEP, which assists regional policy forums and undertakes programmatic activities, including technical assistance to African countries. A UNEP Liaison Office has been established in Addis Ababa to strengthen cooperation and collaboration with the Organization of African Unity and the Economic Commission for Africa;

(k) UNEP has developed a Strategic Framework on Emergency Prevention, Preparedness, Assessment, Mitigation and Response, providing a framework for UNEP's future work in the field of environmental emergencies. This effort has reinforced UNEP's capacity to assist countries in responding to environmental emergencies, jointly with the United Nations Office for the Coordination of Humanitarian Affairs, otherwise, to contribute to United Nations system-wide coordinated efforts in disaster reduction (decision 21/17);

(l) The issues underscored by the Malmö Ministerial Declaration have been actively addressed by UNEP, including its catalytic action to engage various stakeholders as well as its own programmatic activities to tackle environmental challenges (decision 21/18);

(m) The engagement of civil-society organizations contributing to the work of UNEP has been further increased, and a strategy on such engagement has been prepared (decision 21/19);

(n) The Youth Conference on Environment and Sustainable Development, held in Borgholm, Sweden in May 2001, marked the beginning of the "Youth for Sustainable Development" process, launched by UNEP in cooperation with the Government of Sweden and the Nature and Youth of Denmark. The second phase of the project on Youth and Sustainable Consumption being carried out by UNEP and the United Nations Educational, Scientific and Cultural Organization has started (decision 21/22);

(o) UNEP has been taking action to implement the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century (known as the Montevideo Programme III), by promoting the further development of international legal instruments, providing advisory

services to enhance national legislation and institutions and disseminating information (decisions 21/23 and 21/24);

(p) The development of guidelines on compliance with and enforcement of multilateral environmental agreements has been pursued. The draft guidelines on the subject prepared by an intergovernmental expert group which met in Nairobi in October 2001 are before the Governing Council/Global Ministerial Environment Forum for adoption (decision 21/27);

(q) To revitalize regional seas programmes, meetings and a workshop have been held to address relevant issues, and the partnership with relevant international organizations has been reinforced. UNEP has continued to assist the Governments concerned to develop a convention for the protection and sustainable development of the marine and coastal area of the north-east Pacific (decisions 21/28 and 21/29);

(r) The strengthened role of UNEP in GEF can be seen, for example, in the adoption by the GEF Council in May 2001 of full-scale projects submitted by UNEP on persistent organic pollutants and a sustainable technology alternatives network, as well as the GEF strategy on persistent organic pollutants, which was prepared by UNEP (decision 21/25).

5. Some of these developments are elaborated on in the sections below.

II. FINANCIAL RESOURCES

1. Biennium 2002-2003

6. In decision 21/31 the Governing Council approved a biennial programme and support budget of US\$ 119.88 million. Should UNEP's income and expenditure projection prove to be correct and the level of contributions and miscellaneous income remain at the current projected level of about \$87.8 million, UNEP will require, for the implementation of the full biennial programme and support budget, additional contributions of about \$20 million, representing an increase of 23 per cent over and above the total projected contributions of \$85.8 million for 2000-2001 (see table).

2. Biennium 2004-2005

7. In decision 21/31 the Governing Council also requested the Executive Director to submit a finalized draft budget and work programme for the biennium 2004-2005 for consideration and approval by the Governing Council at its twenty-second session. The Executive Director intends to initiate preparation of the programme of work and the budget for 2004-2005 in May-June 2002, and to hold extensive consultations with the Committee of Permanent Representatives in preparing those documents for submission to the Advisory Committee on Administrative and Budgetary Matters in October-November 2002.

The Environment Fund - flow and use of resources in 2000 – 2003 (millions of US dollars, convertible currencies only) (as at 10 December 2001)

		2000	2001	2000-2001	2002	2003	2002-2003
	RESOURCES	<u>Actual</u>	<u>Projection</u>	<u>Total</u>	<u>Projection</u>	<u>Projection</u>	<u>Total</u>
(a)	Beginning balance of Fund on 1 January	22.29	24.44	22.29	12.57	(3.36)	12.57
(b)	Pledges	40.23	43.13	83.36	0.20	0.00	0.20
	Paid pledges	40.21	41.02	81.23	0.00	0.00	0.00
	Unpaid pledges	0.02	2.11	2.13	0.20	0.00	0.20
(c)	Additional estimated contributions	0.00	1.79	1.79	41.76	41.96	83.72
(d)	Total pledges/estimated contributions (b+c)	40.23	44.92	85.15	41.96	41.96	83.92
(e)	Contributions received for previous years	0.00	0.63	0.63	0.00	0.00	0.00
(f)	Miscellaneous income	5.11	3.00	8.11	2.05	1.82	3.87
	TOTAL RESOURCES (a+d+e+f)	67.63	72.99	116.18	56.58	40.42	100.36
	CLAIMS ON RESOURCES						
(g)	Environment Fund support budget	5.13	7.60	12.73	7.44	7.44	14.88
(h)	Fund programme activities	37.83	52.17	90.00	50.00	50.00	100.00
(i)	Fund programme reserve activities	1.38	3.62	5.00	2.50	2.50	5.00
(j)	Projected saving	0.00	(0.57)	(0.57)	0.00	0.00	0.00
(k)	Total expenditure (g+h+i+j)	44.34	62.82	107.16	59.94	59.94	119.88
(l)	Prior period adjustments	0.69	0.00	0.69	0.00	0.00	0.00
(m)	Cancellation of obligations for prior periods	(1.84)	(2.40)	(4.24)	0.00	0.00	0.00
(n)	Increase in the financial reserve	0.00	0.00	0.00	0.00	0.00	0.00
	TOTAL CLAIMS (k+l+m+n)	43.19	60.42	103.61	59.94	59.94	119.88
	BALANCE OF FUND ON 31 DECEMBER	24.44	12.57	12.57	(3.36)	(19.52)	(19.52)

III. REPORT ON THE IMPLEMENTATION OF SELECTED DECISIONS

8. At its twenty-first session the Governing Council requested the Executive Director to report to it at the present session on the subjects addressed in decisions 21/7, 21/14, 21/15, 21/16, 21/18, 21/19, 21/24 and 21/27. The following sections present summary reports on those subjects.

1. Strategic approach to international chemicals managementIntroduction

9. In decision 21/7 the Governing Council requested a report on the possible need for a “strategic approach to international chemicals management”. The increasing integration of chemicals into the products and processes of everyday life, coupled with corresponding growth in global production and trade, have resulted in a veritable “chemicalization” of the world in recent years. At the same time, chemical safety has come to be recognized as a major environmental and human health issue for public policy and international management, as evidenced by the entry into force of the Basel Convention on hazardous wastes and the Montreal Protocol on substances that deplete the ozone layer, as well as the recent adoption of the Rotterdam and Stockholm Conventions. In addition to facilitating the negotiation and implementation of these conventions, UNEP has been active in developing programmes to support improved chemicals management, including, for example, the programme on Awareness and Preparedness for Emergencies at Local Level (APELL). The present inquiry is the culmination of discussions on chemical safety by the Governing Council since the mid-1990s. At the present meeting, Governments must consider whether to take the issue a step further and develop a strategic approach to international chemicals management.

Views expressed by stakeholders

10. In preparation for discussion in the Global Ministerial Environment Forum, the secretariat used a questionnaire to solicit the views of Governments, members of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), the Intergovernmental Forum on Chemical Safety (IFCS), non-governmental organizations, industry and environmental groups and other stakeholders. In all 60 responses were received, including from 43 Governments, they are summarized and analysed in a note by the secretariat (GCSS.VII/INF/1/Add.1).

11. The great majority of respondents concurred that a strategic approach was warranted, albeit with varying conceptions as to what such an approach might entail. Environmentally sound management of chemicals was seen as integral to sustainable development objectives as it is a global issue requiring a comprehensive response. A strategic approach was viewed as a means of advancing the chemical safety agenda and building on progress to date. It was envisaged that such an approach would lend greater coherence to efforts at the global, regional and national levels. One of the strongest themes to emerge was the perception that more coordinated and effective delivery of capacity-building is essential if policies and programmes relating to international chemicals management are to bear fruit. A firm belief was also expressed that any new strategic approach should not compete with or duplicate existing work, such as the valuable priority-setting exercise undertaken by IFCS and reflected in the Bahia Declaration and the Priorities for Action. Significant attention was devoted to institutional and legal coordination, issues that are under active consideration by the Global Ministerial Environmental Forum under the heading of “governance” and that will be addressed at the same February meeting as this report. Other prominent themes included the improvement of access to information on hazardous chemicals, the mobilization of greater resources to support chemicals management, and the encouragement of industry to accept increased responsibility for and play a more active role in the promotion of chemical safety.

Analysis

12. The number and tenor of the responses testify to the importance attached to the subject by the international chemicals management community. The general thrust of the comments is that the time is ripe for a strategic approach to international chemicals management and that the international community needs

to respond proactively to the increasingly prominent issue of chemical safety, bearing in mind the particular needs of developing countries. The ongoing globalization of the chemicals industry that began in the 1960s has entailed a shift in production of high-volume chemicals to developing countries, and the outlook is for this shift to continue. The reliance on chemical products by developing countries and countries with economies in transition has grown at the same time, without necessarily being accompanied by an improvement in their capabilities for development and sustained implementation of policies for the sound management of chemicals, including those for protection of occupational health, public health and the environment.

13. The heightened exposure of developing countries and countries with economies in transition to risks posed by hazardous substances underlines the need for a concerted global approach to capacity-building in the area of chemicals management. This is essential if past achievements are to be consolidated and we are to continue making progress in chemical safety internationally. Such progress would benefit all countries. For example, ongoing plans by international industry associations and Governments of member countries of the Organisation for Economic Cooperation and Development (OECD) to develop data on thousands of high-production-volume chemicals are expected to lead in the next few years to an exponential increase in the availability of data on the effects of chemicals. This suggests that both developed and developing countries need to prepare themselves to receive, assess and react to the unprecedented flow of information and data.

14. A new strategic approach could, *inter alia*, provide a policy and procedural framework for addressing both ongoing and emerging issues of international concern. Many respondents to the survey emphasized the need for improved coordination of existing programmes and mechanisms at the global, regional and national levels. Some of these issues might be pursued more appropriately in the context of broader environmental governance discussions at the meeting of the Global Ministerial Environmental Forum.

15. If participants decide to endorse the development of a strategic approach to international chemicals management, I would suggest that two key principles should guide the process. First, the strategic approach should be devised in an open, transparent and inclusive manner in cooperation with IOMC and IFCS, and in partnership with the full range of stakeholders including Governments from developed and developing countries and countries with economies in transition, the environmental community, the development cooperation community, intergovernmental organizations, international and regional organizations, civil society and industry. A second principle, flowing from the first, is that a new strategic approach should not seek to override the contributions already being made by other bodies. On the contrary, a strategic approach should bolster such efforts by helping to bring chemical safety objectives, such as the IFCS Priorities for Action, into the mainstream of international policy bodies such as UNEP, by placing environmentally sound management of chemicals in the broader context of sustainable development, and by marshalling system-wide support for the implementation of capacity-building. The strategic approach should also provide a policy framework for addressing emerging chemical safety issues that bodies such as IFCS consider require international action.

The way forward

16. If the Global Ministerial Environment Forum endorses the concept of a strategic approach to international chemicals management, the following practical steps could be taken as a way forward.

17. It might be appropriate to begin by separating those issues that come under the heading of "governance". This is not necessarily to say that issues such as improved institutional coordination and increased coherence of legal regimes would not be important underpinnings of a strategic approach, or that they could be set aside entirely from the strategy discussion. Rather, these issues would be being more effectively handled in the context of the broader consideration of international environmental governance that is taking place within the special Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance, and is also a major item on the agenda for the Global Ministerial Environment Forum meeting. The development of a strategic approach to international chemicals management should focus primarily on more germane matters such as the improvement of

capacity-building, creation of a policy framework to accommodate both current and emerging issues, and deeper engagement of industry in chemical safety issues.

18. There would be considerable merit in the Forum referring the strategic approach concept to the World Summit on Sustainable Development, to be held in Johannesburg in September 2002, as a key element in UNEP's contribution to the event. In taking the issue to Johannesburg, one might hope to secure agreement on the need for a comprehensive strategic approach to international chemicals management, endorsement at the highest level that such an approach should address both policy and development aspects of issues, and the engagement of the major policy bodies concerned with chemical issues as well as the development cooperation agencies.

19. Ministers might also wish to consider whether, in order to prepare for Johannesburg, it might be worthwhile to convene an open-ended consultative meeting prior to the Summit. Such a meeting would bring together representatives of interested and affected stakeholder groups to elaborate, in preliminary fashion, the concept of a strategic approach in terms of its possible scope, modalities for its development, and ways of ensuring that the work of other relevant intergovernmental bodies would be taken into account.

Suggested action by the Governing Council

20. The Governing Council may wish to consider adopting of a decision along the following lines:

The Governing Council,

Conscious of the growing importance of the sound management of chemicals and the need for coordination at the national, regional and international levels,

Acknowledging the need for effective capacity-building and technical assistance to enable developing countries and countries with economies in transition to implement existing international legal instruments for chemical safety and to meet future challenges in chemical safety,

Taking note of the progress made by the Intergovernmental Negotiating Committee preparing for entry into force of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Cosmetics and Pesticides in International Trade,

Taking note of the activities being undertaken by the United Nations Environment Programme in collaboration with the Global Environment Facility and other partners in preparing for the implementation of the Stockholm Convention on Persistent Organic Pollutants,

Welcoming the important ongoing work of the International Forum on Chemical Safety in pursuit of the objectives set out in its October 2000 Bahia Declaration and Priorities for Action Beyond 2000

Noting that the World Summit on Sustainable Development is to be held in Johannesburg in September 2002 and is to conduct a review of progress in implementing chapter 19 of Agenda 21,

Recalling its decisions 18/12 of 26 May 1995, 19/13 of 7 February 1997 and 20/23 of 4 February 1999, as well as its decision 21/7 of 9 February 2001 concerning global policies related to chemicals management,

1. Decides to initiate the development of a strategic approach to international chemicals management;
2. Invites the World Summit on Sustainable Development to endorse the development of a strategic approach to international chemicals management, and to mandate the active engagement in this process of the major agencies responsible for the funding and delivery of international development cooperation;

3. Notes that the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance is considering issues that bear on the coordination and coherence of international chemicals management, and looks forward to the outcome of its deliberations;
4. Requests the Executive Director to convene, in the run-up to the World Summit on Sustainable Development, an open-ended consultative meeting involving representatives of all stakeholder groups, to elaborate a preliminary outline of the possible scope of and modalities for developing a strategic approach to international chemicals management;
5. Urges Governments, the Inter-Organization Programme for the Sound Management of Chemicals, the Intergovernmental Forum on Chemical Safety and other relevant organizations and stakeholders to participate actively in this process;
6. Requests the Executive Director to report to it at its twenty-second session on progress made and options for taking the process forward.

2. Compliance with and enforcement of multilateral environmental agreements

Introduction

21. The Governing Council, in its decision 21/27, requested the Executive Director, in consultation with Governments and relevant international organizations, to continue the process of preparation of draft guidelines on compliance with multilateral environmental agreements and on capacity-strengthening and effective national environmental enforcement, in support of the ongoing development of compliance regimes within the framework of international agreements.
22. The process of gathering information on the subject and consulting Governments, convention secretariats and relevant international organizations started in July 1999. This was followed by sharing of experience with all Governments and relevant organizations through a preparatory meeting in December 1999. The further exchange of views on the matter was accomplished through two smaller but regionally balanced advisory group meetings held in Nairobi in November 2000 and in Geneva in August 2001. The members of these groups were selected from focal points identified by Governments. Also represented in this group were relevant environmental convention secretariats. Inputs from this group of experts were used to prepare the final draft and guidelines presented to the intergovernmental group of experts in October 2001.
23. The draft of the guidelines was circulated, twice, to Governments for their review and comments, in January 2000 and March 2001. The draft guidelines were revised in the light of the constructive comments received.
24. An intergovernmental working group of experts was subsequently constituted, and all Governments were invited to participate. A total of 78 Governments were represented at the meeting of the intergovernmental working group of experts which took place at UNEP headquarters at Nairobi from 22 to 26 October 2001. This working group of experts finalized and unanimously adopted the draft guidelines, which are now presented to the Governing Council/Global Ministerial Environment Forum for consideration and adoption (UNEP(DEPI)/MEAs/WG.1/3, annex II).
25. The draft guidelines on compliance with and enforcement of multilateral environmental agreements are divided into three parts. The introduction recalls the decision calling for preparation of the guidelines. It also acknowledges that the draft guidelines are advisory in nature and that parties to the agreements are best situated to choose and determine useful approaches in the context of specific obligations contained in those agreements. Furthermore, while they are intended to inform and to influence how parties implement their obligations under the agreements, they are non-binding and in no way alter those obligations.

26. Chapter I of the draft guidelines deals with enhancing compliance with multilateral agreements. The purpose, scope and definitions of the terms used in this chapter are spelt out. Other issues considered necessary in enhancing compliance include preparatory work for negotiations, effective participation in negotiations, assessment of domestic capabilities during negotiations, compliance considerations in multilateral environmental agreements, review of effectiveness, compliance mechanisms after a multilateral environmental agreement comes into effect and dispute settlement provisions. Other issues covered in this chapter include national implementation, which includes national measures, capacity-building and technology transfer. International cooperation by the United Nations and other relevant international organizations as well as multilateral and bilateral initiatives for facilitating compliance are emphasized.

27. Chapter II of the draft guidelines deals with national enforcement and international cooperation in combating violations of laws implementing multilateral environmental agreements. Like the compliance chapter, it contains paragraphs dealing with the purpose, scope and definitions of the terms used in this part of the text. Other issues dealt with include national enforcement, under which national laws and regulations, the institutional framework, national coordination, training for enhancing enforcement capabilities and public environmental awareness and education are underscored. As for the compliance chapter, international cooperation and coordination in respect of consistency in laws and regulations, cooperation in judicial proceedings, the institutional framework and capacity-building and are emphasized.

28. The Governing Council may wish to consider adopting a decision along the following lines:

The Governing Council,

Recalling that in its decision 21/27 of 9 February 2001, it requested the Executive Director to continue the preparation of draft guidelines on compliance with multilateral environmental agreements and on capacity-strengthening and effective national environmental enforcement in support of the ongoing development of compliance regimes within the framework of international agreements and in consultation with Governments and relevant international organizations,

Recalling also that it encouraged the Executive Director to complete the process and submit the draft guidelines to it for its consideration at its seventh special session in 2002,

Noting with appreciation the work done by the Executive Director in the preparation of the draft guidelines in consultation with Governments and international organizations,

Noting further the urgent need to enhance compliance with multilateral environmental agreements and to strengthen national enforcement and international cooperation in combating violations of laws implementing multilateral environmental agreements,

Having considered the draft guidelines on compliance with and enforcement of multilateral environmental agreements, as prepared by the Executive Director and revised and amended by the Intergovernmental Working Group of Experts (UNEP(DEPI)/MEAs/WG.1/3, annex II),

1. Adopts the guidelines on compliance with and enforcement of multilateral environmental agreements;
2. Requests the Executive Director to disseminate the guidelines to Governments, convention secretariats and relevant international organizations;
3. Further requests the Executive Director to implement the guidelines through the programme of work of the United Nations Environment Programme and in close collaboration with States and other international organizations;
4. Also requests the Executive Director to take steps to promote capacity-building in developing countries, particularly the least developed countries and countries with economies in transition, in accordance with the guidelines;

5. Invites the Executive Director to seek extra budgetary resources to facilitate the implementation of the guidelines, and urges Governments in a position to do so to provide such resources;
6. Further requests the Executive Director to report to it at its twenty-third session on the implementation of the present decision.

3. Implementation of the Malmö Ministerial Declaration

29. The implementation of the Malmö Ministerial Declaration requires actions by all actors, both governmental and non-governmental, at all levels. The challenges and opportunities articulated in the Declaration are being actively addressed by UNEP to turn them into concrete action. UNEP has intensified its action to fill the gap between the commitment and action entered into by the international community. Highlights of recent UNEP activities in the areas underscored by the Declaration as the major environmental challenges of the twenty-first century are noted below.

A. Improving the knowledge base

Environmental assessment and early warning

30. UNEP continues to undertake actions to address the critical environmental issues highlighted in the Declaration. Environmental assessment and early-warning functions are continuously carried out and improved to provide a strong scientific basis for decision-making. The preparation of the Global Environment Outlook-3 (GEO-3) report through the extensive collaborative Global Environment Outlook process, and participation in the Millennium Ecosystems Assessment, represent this aspect at the global level. Early warning of environmental emerging issues and threats is built upon the findings and recommendations of the Global Environment Outlook series of reports (global and regional). The provision of environmental data and information to support early-warning and vulnerability assessments is a major focus of UNEP's activities. UNEP is also closely collaborating with the secretariat of the International Strategy for Disaster Reduction (ISDR), on substantive matters related to environmental early warning in the context of disaster mitigation and preparedness.

Environmental indicators

31. There is a need to make an assessment of human vulnerability due to environmental change and to develop vulnerability indexes, to facilitate worldwide comparison of the magnitude and nature of that vulnerability in a way that is easily understandable by policy makers. Such indexes should be based on transparent and sound methodologies. UNEP has completed a review of international work in the area of vulnerability assessment and indexes. Work continues towards the development of an index of human vulnerability due to environmental change. The concept for this composite index will be presented in the GEO-3 report, as part of a chapter on vulnerability. A fully developed index is expected by August 2002.

32. In a related activity, UNEP is working with the Emergency Response Division of UNDP to develop a global risk/vulnerability index focused on natural disasters. In addition, it has launched the Internet-based portal Project for Risk Evaluation, Information and Early Warning, which allows users to access a network of more than 200 organizations active in various domains of early warning.

Access to environmental and environment-related information

33. Transforming the commitments into action requires reliable information in environmental and environment-related matters. Furthermore, to make actions by all sectors of society more environmentally sound, such information should be readily available on demand. UNEP has continued to provide a wide range of scientific, technical, legal and other information in the field of the environment, in partnership with governments and organizations. The Århus Convention continues to be the guiding framework for UNEP-brokered activities to facilitate access to environmental information. The opportunities offered by

information technology are being taken up by UNEP, with the further development of its information delivery systems, such as UNEP.Net, Infoterra and various clearing-house mechanisms and databases. The global environmental information portal, UNEP.Net, is being developed along thematic and geographic dimensions with the objective of establishing the most authoritative source of data and information on environmental matters on the Internet.

B. Environmental law

Further development of international environmental law

34. Building on its long-term strategic environmental law programme (the Montevideo Programme), UNEP has been the driving force for the development of global and regional multilateral conventions and related instruments for over two decades. Most recently, the Stockholm Convention on Persistent Organic Pollutants, negotiated under the auspices of UNEP in pursuance of Governing Council decision 19/13 C, was adopted and opened for signature at a Conference of Plenipotentiaries held in Stockholm in May 2001.

Assistance in developing regional agreements

35. At the regional level, UNEP has continued to assist the Association of South-East Asian Nations to develop an agreement on transboundary haze pollution, and to assist the countries of the Caspian region to develop a convention on the Caspian environment. Furthermore, UNEP has been providing assistance to the Governments concerned in the development of a convention on the protection and sustainable development of the North-east Pacific.

Montevideo Programme III

36. A new strategic programme, the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century (Montevideo Programme III) was adopted by the Governing Council at its twenty-first session in its decision 21/23. It guides UNEP in further strengthening its activities in the progressive development of environmental law to address major environmental threats. The further development of international environmental law on new and emerging environmental issues will be facilitated under the Programme. Particular emphasis is placed on the effective implementation of and compliance with environmental law at the national and international levels, including aspects of enforcement and liability. Studies on legal responses to new and emerging environmental challenges will also be carried out within the framework of the new Programme.

Legal advisory services and technical assistance

37. Within available resources, UNEP has continued to provide assistance to developing countries and countries with economies in transition in developing national environmental legislation and enhancing expertise in environmental law, with a view in particular to effective implementation of and compliance with international environmental agreements. The outputs of such assistance include the development of draft laws and trained government personnel, in response to requests received from Governments. Through its regional offices UNEP has provided technical assistance in environmental policies, legislation and institutions to Chad, Liberia, Mauritania, the Niger, Rwanda and Togo in Africa; and Brunei Darussalam, the Lao Peoples Democratic Republic and Myanmar in Asia; Antigua and Barbuda, Chile, Cuba and Peru in Latin America and the Caribbean; Lebanon and Oman in West Asia. Phase II of the UNEP/UNDP/Netherlands Joint Project on Environmental Law and Institutions in Africa, now supported by more donors and partner agencies and the World Conservation Union (IUCN), will further help African countries to make progress in institution-building. UNEP has continued to provide advisory services for the establishment and operation of the Lusaka Agreement Task Force on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora, as well as to the Lusaka Agreement Governing Council. As a complement to such legal advisory services, UNEP will convene the fifth Global Training Programme in Environmental Law and Policy in Nairobi from 19 November to 7 December 2001.

Promoting the appreciation of environmental law

38. Promoting the wider appreciation of environmental law through the dissemination of information, training and awareness-raising will continue to be an important element of the UNEP programme. Through the further development of the UNEP/IUCN Environmental Law Information Service (ECOLEX), opportunities provided by new information technology are to be seized in order to ensure prompt and enhanced access to information on international and national environmental law.

Multilateral environmental agreements: coherence and synergies

39. The need for enhanced coordination among multilateral environmental conventions as well as programmatic support to such conventions is actively addressed by UNEP through regular meetings and consultations. EMG provides further opportunities to address the issues of coordination, linkages and complementarities between multilateral environmental conventions and the programmes of the United Nations system. Under the intergovernmental ministerial process for strengthening international environmental governance established by the Governing Council in its decision 21/21, consideration has been given to ways and means of enhancing coherence and synergies among multilateral environmental agreements.

C. Integrating environmental dimensions into economic policiesCoordination within the United Nations system

40. In the process of implementation of its programme of work, UNEP regularly consults with partner organizations within the United Nations system and coordinates with them activities in specific areas of common interest. EMG provides United Nations bodies and agencies active in the field of the environment and human settlements with opportunities for enhanced coordination and collaboration.

Globalization, macroeconomic policy-making and export credit agencies

41. Since late 1980s, UNEP has been engaged in the integration of environmental considerations into macroeconomic and particularly trade policy. For example, it has undertaken country projects on environmental and natural resource accounting and the design and application of economic instruments to achieve environmental objectives. There have been two rounds of country projects on the design of economic instruments for environmental protection and natural resource management. These are now being extended in the context of the UNEP/UNCTAD Capacity-building Task Force on Trade, Environment and Development to respond to specific country demands and enhance their capacity-building.

42. As a logical extension of its finance initiatives, UNEP has begun to play a role in the incorporation of environmental perspectives into the practices of export credit agencies. In October 2001, it convened a two-day workshop in Paris for senior executives from such agencies, with the aim of enabling them to understand the new challenges and opportunities associated with building effective environmental screening into their operational work supporting major investment projects around the world. The workshop arose from UNEP's participation as an observer organization in OECD negotiations to develop a framework for common environmental approaches on the part of such agencies.

Trade and environment

43. UNEP has carried out a total of 12 country projects assessing the environmental impacts of trade liberalization. These projects have contributed to the development of methodologies to examine the complex linkages between trade, environment and development, and have also enhanced the capacity of national institutions to undertake such assessments and provide Governments with policy-relevant advice. As a complement to these studies, UNEP has developed a "Reference manual on integrated assessment of trade-related policies", with the assistance of an expert working group. It is now applying these assessment

methodologies to the agricultural sector in particular, in collaboration with the secretariat of the Convention on Biological Diversity.

44. The UNEP/UNCTAD Capacity-building Task Force on Trade, Environment and Development responds to specific requests from developing countries to enhance their capacity to analyse and respond to trade-environment-development linkages. Activities include thematic research, country projects, training, policy dialogue and networking. Seven national and regional projects are currently under way, and more than 40 further proposals have been submitted to the task force by governments and research institutions in developing countries. Extrabudgetary resources are being sought to meet this demand.

45. UNEP has initiated a dialogue between the secretariats of environmental conventions and WTO, also involving their respective government memberships and non-governmental organizations, aimed at enhancing synergies and mutual supportiveness between the conventions and WTO. A series of five meetings since June 1999 has developed a list of concrete actions that could be taken by secretariats individually or in cooperation, and convention members, to enhance this mutual supportiveness.

46. UNEP provides information on environmental screening of projects, and the benefits of undertaking such screening, in close cooperation with banks, insurers and asset management companies which are signatories to the UNEP Finance Initiatives.

Life cycle economy

47. The life cycle approach is a way of addressing environmental issues and opportunities from a systemic or holistic perspective. With this approach, a product or services system is evaluated or designed with the goal of reducing potential environmental impacts over its entire life cycle. It is important that knowledge of more sustainable consumption and production patterns should be made increasingly available, especially in developing countries, where small and medium-sized enterprises would be able to benefit from them through the potential for optimizing business opportunities and thereby contributing to structurally eradicating poverty.

48. The Malmö Ministerial Declaration stated that “this approach must be linked to the development of cleaner and more resource-efficient technologies for a life cycle economy”. This follows up on the 1999 revision of the “United Nations Guidelines for Consumer Protection” that call on governments together with industry to take into account the environmental impacts of goods and services through their entire life cycle. To foster the international efforts for a life cycle economy, UNEP last year joined forces with the Society of Environmental Toxicology and Chemistry to establish the “Life Cycle Initiative”. The objectives include fostering a life cycle economy by developing and using methods and data that correspond to an identified best practice in the field of life cycle impact assessment. Furthermore, UNEP seeks to develop and disseminate practical tools for evaluating the opportunities, risks and trade-offs associated with products over their entire life cycle to achieve sustainable development. Guidelines and case studies will support this process. The initiative complements the International Organization for Standardization’s framework of standards and technical reports.

49. The initiative will foster the development of tools for governments, business and consumers that translate life cycle thinking into practice for a life cycle economy, resulting in the following benefits:

- (a) Avoiding duplication of work and arbitrariness;
- (b) Providing reliable information in accessible formats;
- (c) Preparing industry for increasingly aware consumers;
- (d) Supporting good business practices;
- (e) Contributing to continuous improvement;

(f) Ensuring global applicability and dissemination.

50. With this work, UNEP seeks to support and catalyse national and regional cleaner production centres and expand the network of government and industry experts to provide ongoing input and advice and help stakeholders take advantage of new markets. UNEP has also continued to hold round-table meetings, consultative meetings and workshops in the regions in cooperation with its regional offices (notably in Nairobi, Geneva, Kuala Lumpur, São Paulo and Tallinn) and to promote voluntary initiatives to increase the environmental engagement of the public and private sector reflecting the demands of civil society.

51. The life cycle approach to environmental management is increasingly being applied in many, though mainly developed, countries. However, the methodologies and technologies for achieving sustainable production and consumption need to be further developed and applied. Developing countries and countries with economies in transition stand to benefit substantially from this concept. It is important to make these methodologies and technologies more accessible to all countries. UNEP's objectives in this field are: to improve worldwide awareness and understanding of cleaner and safer production issues, and to promote the use of related management tools and technologies, leading to the efficient use of natural resources and pollution prevention; to raise awareness on the part of international organizations, governments, industry, business, public bodies and civil society of the need for more sustainable consumption patterns to minimize resource depletion and pollution in order to take advantage of new markets; and to enhance the capabilities of governments, industry and other organizations to make policy decisions and take other actions at all levels.

D. Promoting environmental accountabilityThe "polluter pays" principle

52. There is a need to further develop policies based on the "polluter pays" principle, so as to promote the implementation of the principle at all levels of policy-making, and in all regions. UNEP intends to pursue this goal through the use of economic instruments at all levels, national, regional and global, with a special focus on implementation in developing countries and countries with economies in transition. It has been conducting analyses on the environmental effects of subsidies in the fisheries and energy sectors, with a view to designing policy reforms aimed at achieving environmental and sustainable development objectives. Regional workshops on the energy sector and a side event at the ninth session of the Commission on Sustainable Development identified objectives for and outlined subsidy reforms in this sector. Policy analysis and workshops in Geneva on fisheries subsidies have more clearly defined their effects on natural resource management, and have also advanced understanding of how to develop synergies between the WTO trade rules and measures to achieve sustainable management of these resources.

53. In collaboration with UNCTAD, UNEP has also established a Working Group on Economic Instruments to assist policy makers in identifying and addressing constraints on the use of such instruments for environmental management and sustainable development. This Working Group will also contribute analysis to show how economic instruments can be deployed to support the implementation of environmental conventions.

The private sector and the environment

54. UNEP has continued to promote greater environmental stewardship on the part of the private sector. This includes the creation of new voluntary initiatives, the strengthening of guidance on sustainable reporting, and playing an active role as one of three key United Nations agencies in the Secretary-General's Global Compact. A special event entitled "The Global Compact in Practice" was held in connection with the twenty-first session of the Governing Council/Global Ministerial Environment Forum in order to facilitate dialogue on its environmental dimensions. Building on this, UNEP is working closely with the Office of the Secretary-General in the planning of a Global Compact Policy Dialogue on Sustainability in 2002.

55. UNEP has also continued to operate and develop its partnerships with the private sector; the Finance Initiatives now group more than 180 finance institutions and 80 insurance companies. The Tour Operator's Initiative and the Global e-Sustainability Initiative, launched in 2000 and 2001 respectively, are aiming at promoting sustainable tourism and using the new technologies for sustainable development. Forums with the motor vehicle industry and the advertising sector are facilitating multi-stakeholder dialogues to promote sustainable mobility and sustainable consumption. Web sites have been designed to facilitate the transfer of information to help in developing good practices in the oil and gas sector, as well as in the mining sector. UNEP is facilitating the preparation of a code of conduct on the use of cyanide in gold-mining operations. More companies have signed the International Declaration on Cleaner Production. To ensure the required transparency from companies, UNEP, together with the Coalition for Environmentally Responsible Economies, a non-governmental organization in the United States of America, and with support from the United Nations Foundation, has been promoting the Global Reporting Initiative, which is aimed at developing and using a standard format for reporting about environmental and sustainability performance by the private sector. A number of new publications as well as the Industry and Environment Review are increasing the awareness of the private companies of the need for and benefits of sustainability.

E. Engagement of civil society

56. To address the root causes of global environmental degradation embedded in social and economic problems, the participation of all relevant actors is essential. The active engagement of civil society is called for.

Strengthening partnerships

57. UNEP has continued consultations with non-governmental organizations and institutions to strengthen partnerships in achieving environmental goals. In addition, it has been undertaking consultations with development institutions, scientific and policy research institutions, non-governmental organizations and the private sector on ways and means of building synergy between environmental policies and social and economic development policies. Through its regional offices, it has strengthened interaction with non-governmental organizations in the regions.

Forums for non-governmental organizations

58. In order to facilitate dialogue with non-governmental organizations, UNEP has continued to organize a series of meetings and panel discussions in partnership with non-governmental organizations, including meetings organized on the margins of the conferences of the parties to global environmental conventions. UNEP held forums in conjunction with the sixth special session of the Governing Council/Global Ministerial Environment Forum (Malmö, Sweden, May 2000), as well as the twenty-first session of the Governing Council/Global Ministerial Environment Forum (Nairobi, February 2001).

Draft strategy

59. In pursuance of Council decision 21/19, UNEP has undertaken a process to revise the policy on non-governmental organizations and civil-society organizations, with a view to strengthening the partnership with them. A draft strategy is being developed to provide for the active engagement of civil society in the work of UNEP (see section 4 below).

Support for inputs by non-governmental organizations to the World Summit on Sustainable Development

60. UNEP is providing support to non-governmental organizations in contributing inputs to the process leading to the World Summit on Sustainable Development, *inter alia* through regional forums of non-governmental organizations to conduct regional reviews of Agenda 21. In May 2001, UNEP convened in Nairobi civil-society consultations on international environmental governance as well as on arrangements for participation by non-governmental organizations and civil society in the work of UNEP.

A new ethic of respect for nature

61. The United Nations Millennium Declaration emphasizes certain fundamental values as being essential to international relations in the twenty-first century, including freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. In the context of respect for nature, prudence must be shown in the management of all living species and natural resources in accordance with the precepts of sustainable development.

Empowering civil society

62. To translate this value into concrete actions so as to reverse the trend of environmental degradation presents a major challenge. Civil society provides a powerful agent for promoting shared environmental purposes and values. A key in transforming commitments into action may be found in the empowerment of main actors in civil society, including their active contribution to the process of decision-making in environmental matters.

Cultural and traditional practices and globalization

63. There is an urgent need to include local and traditional cultural perspectives in the ongoing debate on globalization and in specific global environmental norms and policies, as well as the deliberations of the World Summit on Sustainable Development. A key to success in combating environmental degradation is respect for ethical and spiritual values and cultural diversity and protection of indigenous knowledge. Civil-society organizations and non-governmental organizations play an important role in bringing this perspective into these global activities and developments. UNEP will be active in ensuring that local and traditional cultural viewpoints are reflected in policy dialogue and forums, especially in the field of biodiversity and land use, during the process leading to the World Summit. It will help non-governmental organizations and civil society organizations in promoting this issue, especially at the global level. Ways and means will be sought of improving the use of existing knowledge within UNEP.

64. With the help of UNEP, industry associations and relevant stakeholders are taking stock of progress towards sustainable development since the adoption of Agenda 21 and outlining future challenges. This work is being reviewed and commented on by various stakeholders including non-governmental organizations, labour, government and academic institutions. A range of sectoral reports will be published in mid-2002.

Environmental education and training

65. Environmental education and training are key tools in environmental awareness and enhancement. During 2001 UNEP organized seminars and workshops at the global, regional and subregional levels involving over 100 participants from 52 countries in Africa, Asia and the Pacific, and Latin America. Themes covered included gender and environment, renewable energy options, environmental action learning and public participation, and water education for African cities. To facilitate training and for the purpose of information dissemination, UNEP published four training manuals and resource materials for environmental education and public awareness, including Internet-based information. It also continued to provide public lectures to groups visiting its headquarters, and at various conferences and seminars on invitation.

F. Towards the World Summit on Sustainable DevelopmentInternational environmental governance

66. In accordance with the Malmö Ministerial Declaration and Governing Council decision 21/21, an intergovernmental process for strengthening international environmental governance has been undertaken through the work of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance. Contributions to the process have been provided by the Committee of Permanent Representatives to UNEP, the secretariats of multilateral conventions, other United

Nations bodies and agencies, non-governmental organizations and civil-society organizations, and experts and expert institutions outside the United Nations system. The outcome will be submitted to the seventh special session of the Governing Council/Global Ministerial Environment Forum (UNEP/GCSS.VII/2) and to the World Summit on Sustainable Development.

Regional preparatory process for the World Summit on Sustainable Development

67. UNEP has been taking a lead role in this process, process, helping countries and stakeholders in the regions to consolidate their inputs to the Summit. A series of regional preparatory meetings adopted statements identifying priority areas for action.

4. Development of a strategy for the active engagement of civil society, the private sector and major groups in the work of UNEP

Consultation process

68. The Malmö Ministerial Declaration recognized the importance of civil society in achieving environmental and sustainable development goals. The sixth special session of the Governing Council/Global Ministerial Environment Forum in Malmö was also the occasion of a major consultation with civil-society organizations, which began charting a path towards strengthened engagement of civil society in the work of UNEP. This process was given direction through Governing Council decision 21/19, by which the Executive Director was mandated to develop a strategy to enhance the active engagement of civil society through a wide-ranging consultative process.

69. The process of preparing UNEP's contribution to the World Summit on Sustainable Development as well as the review of international environmental governance have provided important opportunities for consultations with civil-society organizations on the implementation of decision 21/19, including at the regional level. In particular, such discussions were held during global forums in Nairobi in February and May 2001. Civil-society organizations have taken several initiatives on their own to generate ideas on this topic. For example, Environment Liaison Centre International conducted an electronic discussion, the results of which were presented to the May 2001 forum, and the Stockholm Environment Institute developed a comprehensive discussion paper outlining a number of options for enhancing the engagement of civil society.

70. The Committee of Permanent Representatives to UNEP has been discussing options related to the implementation of this decision. In September 2001, it requested the secretariat to prepare a paper outlining specific options for consideration by itself and the Governing Council. The paper, produced taking into account inputs from the above consultations, has been distributed to members of the Committee for consideration. It was reviewed favourably by an African Civil Society Forum held during the regional preparatory meeting for the World Summit on Sustainable Development in Nairobi in October 2001. UNEP's regional offices are currently seeking the views of civil-society organizations on the paper.

Key issues examined

71. The key issues related to enhancing engagement by civil society in the work of UNEP were initially outlined in a note dated 21 August 2001 presented to the CPR by the Executive Director. These issues have been further elaborated on in the strategy paper, and can be summarized as follows.

72. Policy issues. Mechanisms are needed for a high-calibre contribution by civil society to policy formulation, an input by civil-society organizations to the review of environmental governance, and better access to information and participation in decision-making. The establishment of a representative forum of civil-society organizations is proposed, with a mandate to engage in dialogue with the Global Ministerial Environmental Forum and to table draft decisions for consideration by the Governing Council.

73. Legislative issues. Broader inclusion of non-governmental organizations in policy forums is needed, as well as more equitable provision for making statements. Rule 69 of the rules of procedure of the Governing Council should take this into account.

74. Programme issues. Better implementation of UNEP's existing policy on civil-society organizations is needed, including monitoring of progress in engagement by civil society. The response should include: strengthened project guidelines, provision of an information/communication platform to civil-society organizations/Infoterra/UNEP.Net and capacity-building for civil-society organizations and UNEP staff.

75. Institutional issues. A workable structure for input from civil-society organizations input to policy is needed, as well as strengthening of the role of regional offices in engagement by civil-society organizations, and a review of the role of national committees. It is proposed that a global network of civil-society organizations should be established, representing various constituencies, that regional offices should facilitate regional networks of civil-society organizations, that focal points should form a working group on civil-society organizations and that the unit dealing with non-governmental organizations and civil society should be strengthened.

76. Outreach issues. There is a need to strengthen interactive communication with civil-society organizations and improve access to UNEP technical information. Options should include the UNEP.Net Environment Directory as a platform for communication with civil-society organizations, developing media tools targeted at civil-society organizations, stakeholder consultations on an information/communication strategy, and creating a database on best practices.

77. Consultation issues. Greater consultation is needed at all levels. This should include institutionalizing dialogue sessions in a variety of forums.

78. Finance issues. Budgetary allocations for engagement by civil-society organizations and capacity-building activities are needed, as well as increased resources for UNEP's unit dealing with non-governmental organizations and civil society, and the setting up of a civil-society organization trust fund.

Recommendations

79. The strategy paper on relations between UNEP and civil-society organizations contains the following main recommendations as regards actions to be taken by the Governing Council:

- (a) Establishment of a high-level forum of representatives of civil-society organizations;
- (b) Revision of rule 69 of the Governing Council's rules of procedure to take into account the need for broader inclusion of civil-society organizations at Governing Council and related meetings;
- (c) Provision of clear direction to the secretariat to guarantee that all programmes and projects take into account opportunities for multi-stakeholder approaches;
- (d) Establishment of a civil-society organization trust fund.

80. The recommendations addressed to the secretariat include:

- (a) Development of tools for monitoring and evaluation of engagement by civil society;
- (b) Development of the Environment Directory as UNEP's authoritative database on non-governmental organizations;
- (c) Further development of UNEP.Net to engage non-governmental organizations and civil society in information exchange;

- (d) Development of a training programme for civil-society organizations, as well as for UNEP staff;
- (e) Action by regional offices to foster regional networking structures for civil society organizations;
- (f) Establishment of a working group to address common issues related to engagement by civil-society organizations;
- (g) Development of a communication strategy for civil-society organizations in consultation with key external stakeholders;
- (h) Revision of accreditation and organizational assessment procedures.

81. The Governing Council may wish to consider adopting a decision along the following lines:

Enhancing engagement by civil society in the work of the United Nations Office at Nairobi

The Governing Council,

Recalling General Assembly resolution 2997 (XXVII) of 15 December 1972, in particular its section IV, paragraph 5, as well as chapter 28 of Agenda 21,

Recalling the United Nations Millennium Declaration and General Assembly resolution 55/162 of 14 December 2000 concerning the follow-up to the outcome of the Millennium Summit,

Also recalling its decision 18/4 of 26 May 1995, which called for the development of a policy framework and appropriate mechanisms for working with civil society, the private sector and other major groups and the policy concerning non-governmental organizations and other major groups issued on 30 October 1996 in response to that call,

Stressing paragraph 14 of the Malmö Ministerial Declaration,

Taking note with appreciation of the work of the United Nations Environment Programme with respect to the civil society, the private sector and other major groups,

Also taking note of the civil-society statement presented during the twenty-first session of the Governing Council/Global Ministerial Environment Forum, the recommendations and contributions from civil-society organizations meeting with UNEP in May 2001 and the comments received from various civil-society groups in response to the secretariat's draft strategy paper entitled "Enhancing civil society engagement in the work of the United Nations Environment Programme",

Aiming at further developing the relationship between civil society, the private sector and other major groups and the United Nations Environment Programme and its governing bodies, on the basis of the arrangements recommended in the Executive Director's report on the implementation of Governing Council decision 21/19,

Recognizing that engaging civil-society stakeholders as partners is important for many reasons - because external stakeholders have many different perspectives to be taken into account in order to foster long-term, broad-based support for the work of the United Nations Environment Programme, because engaging a wide range of stakeholders in addressing environmental issues expands the reach and impact of strategies far beyond the capability of the Programme's own limited financial and human resources, and because the active involvement of stakeholders may compensate for the limited operational presence of the

Programme at the national level, where many environmental problems need to be addressed, and where many of its programme partners are present,

Endorsing the Executive Director's recommendations for renewed mechanisms for engagement of civil society at the levels of policy development, legislative matters, programme implementation, institutional arrangements, outreach and consultation, and budgetary mechanisms,

1. Requests the Executive Director:

(a) To establish a forum of representatives of civil society with rules of procedure that take into account the mandate, decision-making processes and operational arrangements of the United Nations Environment Programme,

(b) To select delegates to the forum through a transparent procedure developed in consultation with a broad range of civil society constituencies; to meet at least annually to reflect on issues of major concern to the United Nations Environment Programme [and the Governing Council], and to make recommendations on these matters arising from their meetings;

(c) To review the policy of the United Nations Environment Programme on non-governmental organizations, in consultation with the above-mentioned civil-society forum and other key stakeholders as appropriate, so as to ensure that it provides clear direction to the secretariat to guarantee that all programmes and projects take into account opportunities for multi-stakeholder approaches to the design, implementation and monitoring of activities;

(d) To report to it at its regular and special sessions on progress in strengthening the engagement of the United Nations Environment Programme with civil society, including participation in programme implementation activities, and budgetary allocations.

2. Welcomes the strategies developed by the Executive Director for actions to be taken by the secretariat in enhancing the engagement of civil society in its work, recommends that he should establish an advisory body of representatives of civil society to support this task, and requests him to report to it at its next session on progress in the implementation of these strategies.

5. International legal instruments reflecting provisions contained in principle 10 of the Rio Declaration

82. The Governing Council, in its decision 21/24, requested the Executive Director to present a report on international legal instruments reflecting provisions contained in principle 10 of the Rio Declaration on Environment and Development, including an assessment and evaluation of their actual coverage vis-à-vis principle 10.

83. Principle 10 of the Rio Declaration underlines the fact that environmental issues are best handled with the participation of all concerned citizens, at the relevant level. It further stipulates that at the national level, each individual should have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States are required to facilitate and encourage public awareness and participation by making information widely available and providing effective access to judicial and administrative proceedings, including redress and remedy.

84. In response to the decision, the secretariat has been undertaking a study on existing international legal instruments, the outcome of which is being compiled into a full report on the subject. It provides an analysis that assesses and evaluates the extent to which different types of international legal instruments, in the form of global environmental conventions, regional agreements and non-binding instruments, reflect the provisions contained in principle 10.

85. The main finding of the study is that a number of global conventions, regional agreements and non-binding instruments set out provisions that reflect certain elements of principle 10. The main focus was placed on the global environmental conventions adopted in and since 1992, with an assessment and evaluation of the extent to which these conventions reflect the principle. The 1992 Convention on Biological Diversity covers access to information and public awareness obligations for contracting parties in articles 10, 12 and 13; Article 23 of the 2000 Cartagena Protocol on Biosafety to the Convention on Biological Diversity reflects and covers areas of access to information and public participation in decision-making. In the 1994 United Nations Convention to Combat Desertification in those Countries Experiencing Drought and/or Desertification, particularly in Africa, a number of provisions deals with participatory approaches at all levels, including public awareness (see articles 3, 5, 6, 8-10, 19). The 1992 United Nations Framework Convention on Climate Change and the 1997 Kyoto Protocol to it covers areas of public awareness, education and access to information. Article 6 of the Convention covers these aspects to a greater extent than article 10 of the Kyoto Protocol. 1997 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, in articles 6 and 13 concerning the siting of proposed facilities, requires each party to take steps to make relevant safety information available to the public.

86. The 1998 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, in articles 14 and 15, covers principle 10 of the Rio Declaration. In particular, article 15 paragraph 2 obliges parties to ensure to the extent practicable that the public has appropriate access to information on chemicals handling and accident management and on alternatives that are safer to human health or the environment. The 1999 Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal in article 17, provides a good example reflecting principle 10 in the area of access to justice in environmental matters. The 2001 Stockholm Convention on Persistent Organic Pollutants, in article 10 provides for access to information, while article 7 deals with public participation in the development and implementation of the national implementation plans of the parties.

87. At the regional level, the 1998 Convention on Access to The Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Århus Convention), negotiated under the auspices of the United Nations Economic Commission for Europe, is a most comprehensive legally binding instrument incorporating principle 10. Other examples in the European region reflecting the principle in the sense that they require the provision of information to the general public include two protocols to the 1979 Convention on Long-range Transboundary Air Pollution, i.e. the 1998 Protocol on Persistent Organic Pollutants and the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone. Other examples of regional agreements which, though adopted before 1992, nevertheless reflect principle 10, include protocols to various regional seas conventions which have provisions on public information and education, such as article 15 of the 1985 Protocol concerning Protected Areas and Wild Fauna and Flora in the Eastern African Region. The 1991 European Convention on Environmental Impact Assessment in a Transboundary Context provides for the procedure to require the public participation in undertaking required environmental impact assessment. The 1992 UNECE Convention on the Transboundary Effects of Industrial Accidents also provides the provisions emphasizing the need to provide the public in the potentially affected area relevant information and an opportunity to participate in relevant procedures.

88. Among examples of “soft law” or non-binding international legal instruments reflecting principle 10, the 1994 Code of Ethics on the International Trade in Chemicals underscores the importance of ensuring access to relevant information, and the involvement of civil-society organizations in monitoring industry's compliance with it. UNEP's APELL programme is based on the requirement of hazard communication at the local level to mitigate impacts from industrial accidents. The 1995 Global Programme of Action for the Protection of the Marine Environment from Land-based Activities provides for access to information in the form of public awareness of national actions on sewage, and for access to information and public participation in decision-making in national activities relating to persistent organic pollutants. Paragraph 16 of the Malmö Ministerial Declaration is another example where principle 10 is fully reflected in areas of access to information, public participation in decision-making and in access to justice in environmental

matters. The private sector and civil society are recognized as good partners in handling environmental issues elsewhere in the Declaration.

89. It should be noted that the reference to access to environmental information in principle 10 of the Rio Declaration incorporates both the availability of the information required and the right to that information. It prescribes the availability of that information to whoever is interested on any matter concerning the environment. The provision on public participation in decision-making invites the members of the public and other interested parties such as non-governmental and intergovernmental organizations to participate in the formulation and implementation of policies. Access to justice on the other hand requires the provision of legislative safeguards to allow for challenge of any administrative action or decision made regarding the environment. The Montevideo Programme III recognizes the importance of these aspects in the progressive development and implementation of environmental law, and provides for a specific programme area on "Public participation and access to information", with the objective of improving the quality of decision-making in environmental matters through increased transparency, access to information and public participation.

6. Trade and environment programme

90. In most countries environmental policy continues to be developed in isolation from mainstream economic, financial and trade policies that form the foundation of the global economy. In recent years, unprecedented trade and investment flows have resulted in increasing environmental degradation and natural resource depletion in many developing countries and countries with economies in transition, where complementary environmental policies remain to be developed and effectively implemented. Owing to fundamental linkages between environmental conditions and social welfare, these trends hinder national and international efforts to alleviate rising levels of poverty in the affected countries. The need for governments to develop mutually supportive trade and environment policies at the international level through multilateral agreements on trade, finance and environment, and at the domestic level, through integrated national economic and environmental policy regimes, is now more pressing than ever.

91. Reflecting countries' national priorities that globalization should be harnessed to fuel economic growth while supporting environmental protection and enhancing social welfare, UNEP assists countries to design practical policies that promote trade and international financial flows as engines of economic development, while at the same time ensuring that these flows support the protection of natural and environmental resources, and yield an equitable sharing of the benefits they provide. To ensure effective country-specific results, UNEP assists countries to build national capacities in a consultative, country-led and transparent manner that responds to national socio-economic and development priorities and to the interests of a full spectrum of national stakeholders.

92. During 2001-2002, UNEP has strengthened and increased internal programme synergies in its work on economics, trade and finance. This integration, while also developing stronger cooperation with key economic, trade and finance institutions, has facilitated the attainment of UNEP's objectives of: improving countries' understanding of the linkages and complementarities between trade, environment and development; enhancing countries' capacities in integrating environmental considerations into macroeconomic policies, including trade policies; and promoting the development and implementation of sustainable development policies by the financial services sector.

A. Developing national capacities to assess the environmental effects of trade

93. UNEP's work includes assessments of the environmental, as well as the developmental, impacts of trade, and policy options to address them. This is done in a way that reflects the different needs and priorities of countries with varied levels of development.

Integrated assessments of the environmental impacts of trade liberalization

94. Following a first round of five country projects completed in 1999, UNEP launched a second round of six projects on the environmental impacts of trade liberalization, in which national teams in six developing countries (Argentina, China, Ecuador, Nigeria, Senegal and the United Republic of Tanzania) successfully developed and applied integrated (economic, social and environmental) assessment methodologies in specific sectors of national importance that included economic valuations of natural and environmental resources. Subsequently, national teams, in consultation with national stakeholders and government ministries, developed policy packages to address the impacts identified in the assessments. Launched in early 2000, these projects were completed in 2001 and briefly described in a report that was circulated at the WTO Ministerial Council in November 2001. Full reports on the individual projects were published and disseminated in late 2001. The second phase of these projects will focus on the implementation of the policy packages designed by the national teams.

Reference Manual for the Integrated Assessment of Trade-related Policies

95. Over the past two years, UNEP's Reference Manual for the Integrated Assessment of Trade-related Policies has been developed by an international multidisciplinary working group of experts established in 1999. The manual benefited from experience gained in the implementation of the first round of country projects, and was subsequently field-tested by collaborating institutions implementing the second round. Published in June 2001, the manual has been widely disseminated, providing interested governments and non-governmental organizations with a menu of options to perform integrated assessments of trade. Well-received by the trade and environment community, the manual is being translated into French and used to develop a training module for practitioners.

UNEP-UNCTAD Capacity-building Task Force on Trade, Environment and Development

96. The work of this Task Force is described in paragraph 44 above.

B. Effectiveness of market-based incentives and assessment tools in achieving environmental objectives

97. A growing body of evidence suggests that when externalities are reflected in resource prices, markets can work more efficiently to sustain natural and environment resources. Within this perspective, UNEP assists countries to analyse how the implementation of properly designed economic instruments, and the removal of market distortions caused by environmentally perverse subsidies, can promote more sustainable resource extraction, production and consumption practices.

Country projects

98. Following a first round of six country projects completed in 1999, UNEP has launched a second round of three projects on the design and implementation of economic instruments for environmental protection in which national teams in three countries (Chile, Kenya and the Philippines) successfully designed policy packages comprising economic instruments to address emerging national environmental problems in specific sectors. Launched in early 2000, these projects were completed in late 2001. The country projects on the environmental impacts of trade liberalization mentioned above also develop policy packages that include economic instruments to minimize negative environmental impacts, and hence maximize the net development gains of trade and trade liberalization. Experience in the development of market-based policies gained through these projects provides useful inputs to UNEP's International Working Group on Economic Instruments.

International Working Group on Economic Instruments

99. Appropriately designed and implemented economic instruments can effectively contribute to the sound management of natural resources and the realization of the objectives of multilateral environmental agreements. To date, however, a number of constraints have prevented their wider use. Promoting the use of

economic instruments to support environmental objectives requires enhanced understanding of their properties and effects, as well as strengthened human and institutional capacities for their design and implementation. Following up on the experience of national teams conducting UNEP country projects, and on the recommendations of UNEP's High-level Meeting on Environment, Sustainable Development and Trade convened in March 2001, UNEP established an International Working Group on Economic Instruments in June 2001.

100. The Working Group aims to assist practitioners and policy makers by developing a resource manual on how to develop and use economic instruments for environmental purposes and address implementation barriers. The first phase of the work, which is currently under way, takes stock of past experience with impediments to the effective implementation of economic instruments through literature reviews and policy dialogues with relevant stakeholders. Findings and ways forward will be discussed at the next meeting of the Working Group, in early 2002.

Subsidies (energy and fisheries sectors)

101. Recognizing the need for reform of energy subsidies associated with inefficient energy consumption, UNEP and the International Energy Agency jointly organized a series of regional workshops in Africa, Asia and Latin America to enhance in-country capacities to identify sustainable energy strategies and outline policy options that can support them. In order to share experience and lessons learned, a synthesis of the outcomes and recommendations of the workshops has been prepared, widely distributed and used to support a seminar convened during the ninth session of the Commission on Sustainable Development. As a follow-up to this work, further efforts are needed to develop a user-friendly manual on energy policy reform.

102. To create better understanding, quantification and classification of the negative economic, environmental and related social effects of subsidies to the fishery sector, and explore policy approaches for the sustainable management of fisheries, UNEP, in close collaboration with WTO, convened a Fisheries Subsidies Workshop in February 2001. Representatives of governments, intergovernmental and non-governmental organizations, together with international fisheries experts, explored the relationship between fisheries subsidies and overfishing, as well as the effects of developed countries' subsidies on developing countries. They discussed two UNEP country projects, in Argentina and Senegal, that focus on the fisheries sector and the environmental impacts of subsidies, as well as an issues paper commissioned by UNEP. A follow-up meeting is planned for 2002, and a user-friendly manual will be prepared that describes ways to reform fisheries policies so that they can more effectively support sustainable fisheries management objectives.

Environmental impact assessment (EIA)

103. On the basis of field trials and in response to requests from Governments, the EIA Training Resource Manual and its companion document EIA: Issues, Trends and Practice are being revised to better enable trainers, particularly in developing countries and in countries with economies in transition, to develop tailor-made training courses for different target groups concerned with EIA and to provide an up-to-date overview of EIA for decision makers and practitioners, assisting them in understanding EIA and developing national EIA strategies and procedures. The revised documents stress the importance of strategic integrated assessments that encompass the environmental, social and economic dimensions of development and extend assessment practice beyond the project level to include assessments of related policies, plans and programmes. The revised documents will be published in late 2001 or early 2002.

Integrated environmental and economic accounting

104. UNEP was involved in the preparation of an operational manual on integrated environmental and economic accounting published in December 2000. The manual serves as a reference document for the implementation of integrated environmental and economic accounting at the national level. The manual has been widely disseminated and is being extensively used by practitioners.

C. Promoting understanding, dialogue and dissemination of information about multilateral environmental agreements

105. In order to meet the challenges of enhancing synergies between the multilateral trade and environment regimes, it is essential to foster partnerships and build consensus among trade and environment officials. By facilitating structured dialogue between interested parties through high-level meetings on unresolved issues at the interface of multilateral environmental and trade policies, UNEP works to enhance mutual supportiveness between multilateral environmental agreements and WTO agreements. Organized in Geneva just prior to sessions of the WTO Committee on Trade and Environment addressing similar issues, UNEP's meetings on these issues benefit from the participation of environment and trade officials involved in the WTO deliberations and provide important inputs to their discussions.

Multilateral Environmental Agreements and WTO

106. UNEP's meeting on links between WTO and multilateral environmental agreements in October 2000 and its High-Level Meeting on the Environment, Sustainable Development and Trade in March 2001 brought together high-level representatives of governments, secretariats of multilateral environmental agreements and WTO to raise awareness and enhance prospects for securing synergies between global trade and environmental governance, particularly between multilateral environmental agreements and WTO. These dialogues clarified the relationships between multilateral trade policy and national environment and development objectives and enhanced understanding of the benefits of mutually supportive trade and environment policies. In order to meet the needs identified in these meetings, UNEP in collaboration with WTO convened a Workshop on Compliance, Enforcement and Dispute Settlement in June 2001 that helped clarify the relationship between WTO rules and trade measures in multilateral environmental agreements by providing examples of where trade rules can enhance or inhibit compliance with and enforcement of multilateral environmental agreements. These examples provided decision makers with insights on how to strengthen the implementation of multilateral environmental agreements and enhance the mutual supportiveness of such agreements and WTO. Outputs from these meetings, and related regional workshops convened jointly with UNEP regional offices, are being fed into the discussions on international environmental governance that were initiated at the ninth session of the Commission on Sustainable Development in April 2001 and will continue during the Global Ministerial Environment Forum and the World Summit on Sustainable Development in 2002.

Trade-related intellectual property rights and the environment

107. In order to advance work on intellectual property rights, UNEP will convene an expert group meeting in Geneva in December 2001 to examine the environmental implications of the WTO Agreement on Trade-related Intellectual Property Rights. Dialogue will focus on the special sustainable development needs of developing countries under this regime, within the context of the Convention on Biological Diversity, and explore how the transfer of environmentally sound technologies might be affected by the implementation of the Agreement. The outcomes of this meeting, as well as two commissioned issues papers, will be used to develop further work on this subject in the context of both the WTO Committee on Trade and the Environment and the Convention on Biological Diversity.

UNEP Finance Initiative

108. With globalization, the need has emerged for Governments and decision-makers in the financial services sector to work more closely together to enhance their mutual understanding of the environmental risks associated with public and private investment and to develop policies and incentives that promote investments supportive of sustainable development and the specific objectives of multilateral environmental agreements. To support this process, the UNEP Finance Initiative has been established. With members from over 270 companies in the banking and insurance industries, the Finance Initiative facilitates dialogue and disseminates policy research between high-level representatives of the financial services sector, Governments and non-governmental organizations.

109. A series of regional conferences was organized by the Finance Initiative to explore how the financial services sector in each region can promote the sustainable development objectives adopted by Governments in their regions. A UNEP Workshop on export credit agencies was held in October 2001, bringing together members of the Finance Initiative and developed-country export credit agencies to exchange information on environmental issues to enable supportive policies to promote sustainable development to be developed by private and public financial institutions.

110. The Finance Initiative has established working groups on climate change, asset management and environmental management and reporting, and has also set up task forces to promote the Finance Initiative and its activities at the regional and global levels. The Working Group on Climate Change actively participated in the sixth and seventh sessions of the Conference of the Parties to the Climate Change Convention with well-attended side events. The Working Group on Environmental Management and Reporting will release a set of environmental guidelines for the financial services sector at the Financial Initiative Annual International Round Table in March 2002 in South America. The Working Group on Asset Management seeks to extend awareness among investors of the opportunities and risks associated with investment from a sustainability perspective. In that connection, it should be noted that the Financial Initiative has established regional task forces in North America and Asia to promote the initiative there.

111. Financial Initiative publications provide useful guidelines on practical ways in which the financial services sector can promote investments that support sustainable development. In September 2001 the Financial Initiative and the Basel Agency for Sustainable Energy (BASE) collaborated in producing an inventory of funding sources for sustainable energy projects that will be released in early 2002. Also, the Financial Initiative is preparing a finance sector report for the World Summit on Sustainable Development, and is working with the World Bank Group to prepare a report on innovative financing for sustainability also for presentation at the Summit.

7. Support to Africa

112. In pursuance of Council decision 21/15 on support to Africa, UNEP has continued to undertake specific actions, as outlined below.

A. Support to Africa for the implementation of multilateral environmental agreements (MEAs) and participation in international forums

United Nations Framework Convention on Climate Change

113. With the support of the Government of Norway, UNEP organized a meeting of climate change negotiators from Africa in September 2001. The meeting was attended by negotiators from 18 countries, as well as experts from UNEP, Canada, Belgium and Spain. The purpose of the meeting was to clarify the outcome of the resumed sixth session of the Conference of the Parties and discuss the issues before the seventh session, especially as they relate to the operationalization of decisions. The aim was to narrow gaps and forge a common position. Additional support was given to the negotiators during the seventh session by the provision of interpretation facilities throughout the negotiations.

Biodiversity and biosafety

114. In collaboration with the secretariat of the Convention on Biological Diversity, the UNEP supported the participation of African countries in the following meetings:

(a) Open-ended Expert Meeting on Capacity-building for the Implementation of the Biosafety Protocol, held in Havana from 11 to 13 July 2001;

(b) Workshop on Financial Support for National Biosafety Frameworks, held in Havana, on 14 July 2001;

(c) New Biotechnology Foods and Crops: Science, Safety and Society held in Bangkok from 10 to 12 July 2001;

(d) Expert Meeting on Handling, Transport, Packaging and Identification of Living Modified Organisms, held in Paris from 13 to 15 June 2001;

(e) Open-ended Meeting of Experts on a Compliance Regime under the Cartagena Protocol on Biosafety, held in Nairobi from 26 to 28 September 2001;

(f) Liaison Group Meeting of Technical Experts on the Biosafety Clearing House, held in Nairobi on 27 and 28 September 2001.

United Nations Convention to Combat Desertification

115. UNEP provided support for the implementation of the Convention in many African countries, and especially for the preparation of national action plans. A UNEP/GEF project on Land Degradation Assessment in Drylands was formulated and African countries affected by drought and desertification are to be fully involved in the funding process.

Support to regional agreements

116. UNEP has endeavoured to mobilize the political will of African Governments in a bid to revitalize the Abidjan Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region. The attention of ministers of environment was drawn to the need for revitalization and the African Ministerial Conference on the Environment (AMCEN) took a decision in that regard. UNEP has helped develop a funding mechanism that ensures the financial reliability, predictability and sustainability of the budget for the Abidjan Convention. Also, it has helped develop an effective coordination system and has provided support for the operationalization of the Regional Coordination Unit in Abidjan.

117. With regard to the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern Africa Region, a variety of activities, including a new biennial work programme for 2002 – 2003, were developed for review by the third meeting of the Conference of the Parties, to be held in Maputo, which will also consider a regional strategy on coral reefs and associated ecosystems.

118. UNEP continued consultations with the World Conservation Union (IUCN) and the Organization of African Unity (OAU) for the review of the 1968 African Convention on the Conservation of Nature and Natural Resources to take into account developments since the Convention was adopted. The third UNEP/IUCN/OAU Inter-agency Meeting to review the document was held in Addis Adaba on 25 and 26 July 2001.

119. UNEP continued to support and assist parties in the implementation of the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora.

120. UNEP also supported participation by African countries in expert meetings organized to develop guidelines on compliance with and enforcement of multilateral environmental agreements, held in Geneva in August 2001 and in Nairobi in October 2001. It also provided support for a stakeholder workshop for law enforcement agencies, held in Uganda from 16 to 18 October 2001.

A. Support to Africa for the preparation of the World Summit on Sustainable Development

121. UNEP, with funding from donor Governments, provided support for the African preparatory process for the World Summit. Five subregional consultation meetings were organized under the lead of the five subregional organizations, the Arab Maghreb Union (AMU), the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the Intergovernmental Authority on Development / Common Market for Eastern and Southern Africa (IGAD/COMESA), and the Southern African Development Community (SADC). These consultative meetings considered regional assessments of achievements in implementing Agenda 21, the constraints encountered and the way forward. They also provided elements for the African common position that was developed at the regional Preparatory Conference.

122. UNEP, working with Economic Commission for Africa (ECA), the African Development Bank (ADB) and UNDP as the Joint Expanded Secretariat for the preparation of the Summit, organized the African Preparatory Conference for the World Summit on Sustainable Development in Nairobi from 15 to 18 October 2001. Ministers responsible for environment and socio-economic development in Africa approved the assessment report on African progress in implementing Agenda 21, the constraints encountered and the way forward. They also agreed a ministerial statement which was a political declaration of African perspectives on the implementation of Agenda 21 and the way forward.

123. In association with the African Preparatory Conference for the World Summit on Sustainable Development, UNEP also organized an industry workshop as an input to the ministerial segment of the Conference, and a meeting of non-governmental organizations. It also facilitated statements by youth and trade union movements to the Conference.

B. Support to the African Ministerial Conference on the Environment (AMCEN)

124. UNEP continued to provide a secretariat function for AMCEN, Africa's leading forum for high-level environmental policy development. Following the revitalization of AMCEN which was agreed by the Conference at its eighth session, in Abuja in April 2000, UNEP organized a meeting of the AMCEN Inter-sessional Committee in New York in April 2001 on the margins of the meetings of the Preparatory Committee of the World Summit, and facilitated a meeting of the AMCEN Bureau on the margins of the third meeting of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental Governance in Algiers in September 2001.

125. A special session of AMCEN was held in Nairobi on 16 October 2001, during the African Preparatory Conference for the World Summit, to consider the environmental component of the Summit and the draft ministerial statement. It also discussed and adopted resolutions on other matters, including the implementation and operationalization of the United Nations Framework Convention on Climate Change and its Kyoto Protocol; the Least Developed Country Fund; the AMCEN work programme 2000-2004; the African Union and the New Partnership for African Development (NEPAD).

C. Cleaner production and sustainable consumption patterns

126. In view of the need to improve industrial production processes and raise awareness of the issue in Africa, UNEP was involved in the first meeting under a new initiative, the Cleaner Production and Sustainable Consumption Round Table for Africa. A regional coordinating committee was established, with representation from the five subregions, to organize future round tables, and UNEP was requested to assist it with follow-up. Also, UNEP and UNIDO have together established national cleaner production centres in seven African countries.

127. With regard to the mining sector, during 2000 an environmental impact assessment was undertaken of the acid wash wastes from a fluorspar mining company in Kenya and a workshop was organized in Perth, Australia for 25 mining countries, including three from Africa, to examine environmental regulations for accident prevention in mining. UNEP and the United Nations Centre for Human Settlements (Habitat)

concluded an agreement whereby Habitat would incorporate the APELL programme into conferences in West Africa on urban themes.

128. The UNEP International Environmental Technology Centre (IETC) organized workshops on eutrophication in lakes, advisory services on waste management and round tables on air quality and on trenchless technologies.

129. A Sustainable Energy Advisory Facility has been established and provides advice to developing countries, including Botswana, Ghana and Mali. A programme to establish small private-sector energy companies in Africa based on renewable energy, the African Rural Energy Enterprise Development Initiative (AREED), was begun in Botswana, Ghana, Mali, Senegal and Zambia. Support was also given to other renewable energy projects in Egypt and Zimbabwe.

130. The OzonAction Programme continued to provide considerable assistance to African countries, to support their compliance with the Montreal Protocol, through the Protocol's Multilateral Fund.

131. The UNEP Chemicals programme facilitated:

(a) A project on management information exchange and networking for Africa, in collaboration with the United States Environmental Protection Agency;

(b) Case studies on persistent organic pollutants in five African countries;

(c) Training workshops on polychlorinated biphenyl and dioxin/furan chemicals policy and legislation, and on the phase-out of leaded petrol in selected African countries.

132. As requested by the countries, UNEP launched six country projects on trade liberalization and environment and three on the selection, design and implementation of economic instruments for environmental protection. The countries involved included Kenya, Nigeria, Senegal and the United Republic of Tanzania.

133. UNEP continued to undertake industry outreach activities. During the reporting period a Global Reporting Initiative was organized in South Africa in collaboration with the Industrial Environmental Forum of Southern Africa, and a symposium, "The Global Compact for the African Business Community", was held in Tunis.

D. Environmental conservation

Great Apes Survival Programme

134. In May 2001, the Executive Director launched an initiative to seek political support for great ape conservation under the Great Apes Survival Project (GRASP). He appointed as Special Envoys for Great Apes Mr. Russ Mittermeier, President of Conservation International and Chair of the IUCN Special Survival Committee; Ms. Jane Goodall, world-renowned chimpanzee expert; and Mr. Toshisada Nishida, past president of the International Primatological Society. UNEP worked with the Convention on International Trade in Endangered Species (CITES), the Convention on Migratory Species (CMS), the Convention on Biological Diversity (CBD), the African Wildlife Foundation, the Ape Alliance, the World Wildlife Foundation and other partners to draw worldwide attention to the ape survival crisis. The envoys, supported by a small team of experts, began visiting each range State and obtaining endorsements, at the highest political level, for improved protection, and also strengthened support for conservation and for the preparation and adoption of national great ape survival plans.

Turtles

135. A Memorandum of Understanding for the Conservation and Management of Marine Turtles and Their Habitat of the Indian Ocean and South-East Asia, which entered into force on 1 September 2001, was signed by nine States. UNEP offered financial assistance for the first three years of the secretariat's operation.

International Coral Reef Action Network (ICRAN)

136. Activities to conserve the coral reefs of the Indian Ocean coast of East Africa were implemented through the International Coral Reef Action Network, an umbrella activity developed by UNEP in collaboration with the World Fish Centre (ICLARM) to address the declining state of coral reefs. ICRAN is a key activity for the International Coral Reef Initiative (ICRI), a Government / non-governmental organization partnership that is committed to the conservation and management of coral reefs.

E. UNEP/GEF activities in Africa, 2001Regional and country projects

137. UNEP, as a GEF implementing agency, provided support to African countries in the GEF focal areas of climate change, biodiversity and international waters and also to the emerging priority areas of land degradation, persistent organic pollutants and biosafety. The UNEP/GEF portfolio in Africa includes 61 activities with a total budget of some \$48,000,000.

138. Within the portfolio are two major, full-size projects (i.e., projects involving more than \$1 million of GEF financing) addressing land degradation, which UNEP is implementing jointly with UNDP:

(a) "Biodiversity conservation through rehabilitation of degraded lands of arid and semi-arid transboundary areas of Mauritania and Senegal": total project cost \$12,400,000; GEF financing, \$8,000,000; completion expected in May 2004;

(b) "Management of indigenous vegetation for the rehabilitation of degraded rangelands in the arid and semi-arid zones of Botswana, Kenya and Mali": total project cost \$13,400,000; GEF financing, \$9,000,000; completion expected in May 2006;

139. Fourteen activities in the Africa portfolio were approved during 2001, with total funding of \$8,400,000, including \$4,700,000 in GEF resources. These include three medium-sized projects, three projects in Project Development Facility block B, one in block A and seven enabling activities.

Global projects

140. The UNEP GEF portfolio includes a number of full-size projects that are truly global in scope, and involve participation by African countries. These include "Development of national biosafety frameworks" and "Assessment of the impacts of and adaptation to climate change in multiple regions and sectors", both of which began in 2001.

141. Several global assessment activities, including the Millennium Ecosystem Assessment and the Global International Waters Assessment (GIWA), have involved Africa, and Project Development Facility block B funding was approved for the Dryland Land Degradation Assessment.

Multi-country and transregional projects

142. Several UNEP/GEF transregional projects also involve African countries.

F. Support to subregional organizations

143. UNEP worked with the subregional organizations the Arab Maghreb Union (AMU), the Economic Community of Central African States (ECCAS), the Intergovernmental Authority on Development (IGAD), the Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC) and the Economic Community of West African States (ECOWAS), and with the African Development Bank (ADB) and the United Nations Economic Commission for Africa (ECA), to ensure that the environmental agenda is fully integrated into the subregional and national development agendas. The process of preparing the African regional reports for the World Summit on Sustainable Development has increased cooperation with these subregional organizations

144. In June 2001, UNEP established a liaison office in Addis Ababa to further enhance cooperation with ECA and the Organization of African Unity, now the African Union.

G. Initiatives for Africa

The United Nations Special Initiative in Africa

145. Under the United Nations Special Initiative in Africa, UNEP assisted African countries in reinforcing their capacities in environmental management and in formulating and implementing key water resource policies and management programmes. Efforts were also made to assist governments in creating a “water forum” at the request of African ministers responsible for water.

New Partnership for African Development (NEPAD)

146. UNEP was closely involved with the establishment of NEPAD, which originated as the New African Initiative, established by OAU at its thirty-seventh session, held in Lusaka in July 2001. UNEP participated in the preparatory process for NEPAD and contributed to the development of its environmental component. Resources to help implement that component were secured through the UNEP GEF Office.

H. Specific regional activities

Water activities

147. At the request of the SADC member countries, UNEP provided technical support for the SADC Water Sector Regional Strategic Action Plan. UNEP also provided technical support for integrated water basin management and water policy reviews, including integration of environmental assessments into the management plans for the major African river basins. Support was given also to local, pilot-phase projects for demonstration purposes, such as the Nairobi River Basin Project.

148. Under the Nairobi River Basin Project, pollution assessment activities were undertaken and a second phase, focusing on community education programmes about pollution to build capacity amongst stakeholders, has been initiated on the basis of the results from those activities. Under the United Nations Special Initiative in Africa, UNEP assisted African countries to strengthen key water management programmes and policies. Efforts were also undertaken to create a forum at the request of African ministers responsible for water.

Capacity-building

149. UNEP has developed a strategy to build the capacity of African negotiators in order to enable them to participate in international negotiations for multilateral environmental agreements and related meetings. Implementation of the strategy was begun during the reporting period.

150. Numerous training workshops and seminars on environmental issues were organized by UNEP for stakeholders such as non-governmental organizations, civil society, youth and the private sector. The World Environment Day celebrations and the “Clean up the World” activities supported by UNEP in cities such as Nairobi also helped raise awareness of environmental issues.

Resource mobilization

151. UNEP continued to help mobilize resources for addressing environmental issues in Africa, including resources from the new financial mechanism established by the United Nations Framework Convention on Climate Change.

Environmental law

152. Legal advisory services were provided by UNEP to assist African Governments in formulating and reviewing environmental legislation. Seven countries - Burkina Faso, Kenya, Malawi, Mozambique, Saõ Tome and Principe, Uganda and the United Republic of Tanzania - were assisted in their reviews of their environmental legislation. UNEP also provided support for regional and subregional cooperative frameworks in this area and secured funds from the Government of the Netherlands for capacity-building in environmental law and institutions. African experts benefited also from regular training workshops on environmental law.

Assessment

153. UNEP worked on the preparation of an assessment report on the state of the African environment to be presented to AMCEN in 2001. UNEP also provided support for African countries to strengthen their capacity to address environmental threats and emergencies and the impact on Africa of global environmental change.

Policy development

154. During the reporting period, UNEP encouraged and provided assistance for countries in the region to review their policies in the light of new developments and priorities.

I. Linkages between poverty and environment

155. UNEP continued its efforts to achieve an understanding of the linkages between poverty and environment, with special emphasis on Africa. Since more than half the least developed countries are in Africa, the need to emphasize those linkages is especially urgent in the African context. A meeting to develop guidelines and a strategy for addressing them was held in Nairobi in September 2001, with the target of making the guidelines available during 2002.

8. Environmental situation in the occupied Palestinian Territories

156. In its decision 20/2, entitled “Environmental situation in the occupied Palestinian and other Arab territories”, the Governing Council requested the Executive Director to prepare a comprehensive report on the environmental situation in the occupied Palestinian and other Arab territories, including those in the Palestinian Authority. The secretariat informed Governments before and during the twenty-first session of the Council that circumstances in the Middle East had made it impossible to collect the necessary information to prepare the comprehensive report which had been requested.

157. At its twenty-first session, the Governing Council adopted decision 21/16 entitled “Environmental situation in the Occupied Palestinian Territories”, which expressed grave concern about “the recent alarming reports on the violations of the environment in the Occupied Palestinian Territories” and requested the Executive Director to assess the environmental repercussions of those violations. It also requested him to prepare the comprehensive report requested in decision 20/2 on the environmental situation in the Occupied Palestinian Territories, including the findings of the assessment, and present the report to the Committee of

Permanent Representatives as soon as possible and through it to the Governing Council at its seventh special session”.

158. The Executive Director has kept the situation in the region constantly under review so that appropriate action can be taken to implement the aforementioned decisions of the Governing Council as soon as possible. Given the continued deterioration in the situation, it has not been possible for UNEP to collect information on the spot. UNEP has requested the Government of Israel, the Palestinian Authority, the office of the United Nations Special Coordinator in the Occupied Territories and the relevant United Nations agencies for advice on and inputs to the report requested by Governing Council.
