



## UNEP GOVERNING COUNCIL HIGHLIGHTS TUESDAY, 6 FEBRUARY 2001

Delegates met in morning and afternoon sessions of the Plenary and the Committee of the Whole (COW). The Plenary discussed the state of the environment, emerging policy issues, the outcome of the sixth special session of the Governing Council, and contributions to future sessions of the Commission on Sustainable Development (CSD). The COW began consideration of UNEP's subprogrammes and related draft decisions, forwarding several decisions to the drafting group, which began its work of finalizing text. A working group on programme and budget matters also convened.

### COMMITTEE OF THE WHOLE

In the morning session, Chair Radziejowski announced the formation of an informal working group on programme and budget issues. UNEP Deputy Executive Director Shafqat Kakakhel informed delegates that there were 27 draft decisions before the Governing Council (UNEP/GC.21/L.1). He noted that most decisions had been approved by the Committee of Permanent Representatives (CPR), and expressed the hope that the COW would adopt them. However, several draft decisions had not been approved by the CPR, including text on governance. Noting that the draft decision on governance relates to UNEP, he said wider governance issues had been raised, and drew attention to a discussion paper prepared by Canada. He said governance matters could be considered, given that the current meeting is the Governing Council's final opportunity to make a major contribution on this matter to the World Summit on Sustainable Development in 2002.

**UNEP SUBPROGRAMMES:** The COW then considered three of UNEP's seven subprogrammes under the report on the Environment Fund budgets: proposed biennial programme and support budget for 2002-2003 (UNEP/GC.21/6).

**Environmental assessment and early warning:** Deputy Executive Director Kakakhel introduced this subprogramme, outlining outputs such as the Millennium Ecosystem Assessment, the Global International Water Agreement (GIWA), and the GEO publication. The EU supported this subprogramme as a core UNEP activity and urged the allocation of budget funds. EGYPT stressed that UNEP activities should clearly reflect its mandate. NORWAY and SWITZERLAND highlighted UNEP's important role in linking the scientific community with policymakers.

**Environmental policy development and law:** The US, with EGYPT and AUSTRALIA, expressed concern over the proposed activities with regard to strengthening the legal basis of the precautionary approach, as contained in the Rio Principles, and a global survey on the status of the application of environmental norms by military establishments. TURKEY, INDIA and EGYPT suggested deleting an item on provision of advisory services for the establishment of a water basin agreement, as it is beyond UNEP's mandate. AUSTRALIA underscored the link between environmental degradation and human health. She pointed out that it is premature to consider developing legal arrangements concerning transboundary air pollution in Asia and the Pacific and, with ANTIGUA AND

BARBUDA, noted that the work programme should not duplicate the IPCC's. In response, the Secretariat stated that in preparing the work programme it intends to balance governments' requests and UNEP's mandates.

**Environmental policy implementation:** Deputy Executive Director Kakakhel noted that this subprogramme represents UNEP's implementation arm that translates policy into action, and outlined key objectives.

Regarding the objective of promoting compliance with and enforcement of environmental law and strengthening measures for preventing and mitigating environmental damage, the EU said UNEP's focus on this issue was timely. Several participants commented on supporting implementation of relevant chapters of the Montevideo Programme III, including compliance and enforcement in relation to multilateral environmental agreements through development of training materials and guidelines on compliance, enforcement and environmental crime. Some speakers expressed uncertainty at the term "environmental crime." EGYPT stated that the Montevideo Programme raised some new issues, and said compliance and enforcement issues should be approached carefully, and sufficient time should be given for comments on guidelines. The US, AUSTRALIA and ANTIGUA AND BARBUDA suggested that a "tool box" of options might be more appropriate than guidelines.

On addressing environmental threats and emergencies, KENYA expressed concern at the small financial allocation, and suggested UNEP develop a document analyzing causes and long-term effects of actions related to emergencies.

**DRAFT DECISIONS:** In the afternoon, the COW considered draft decisions relating to the subprogramme areas discussed during the morning. Regarding the draft decision on the Implementation of the Convention to Combat Desertification (CCD), the EU highlighted UNEP's role in combating desertification and encouraged it to coordinate closely with the GEF. The COW agreed to forward the draft decision to the drafting group for final editing.

On the Global Programme of Action (GPA) for the Protection of the Marine Environment from Land-based Activities, ICELAND urged UNEP to collaborate with other UN agencies in implementing the GPA. COLOMBIA, supported by CUBA, the US, and MAURITIUS, suggested including a reference to implementation of the Cartagena Protocol Concerning Pollution from Land-based Sources. The US urged UNEP to move forward on an intergovernmental review of implementation of this Protocol. The draft decision was forwarded to the drafting group.

Regarding the draft decision requesting UNEP's Executive Director to prepare a report on the Environmental Situation in occupied Palestine and other Arab territories, EGYPT said he would table alternative text on behalf of the Arab Group, adding that a decision should take into account recent developments in the region. ISRAEL supported the current text. Chair Radziejowski said the COW would reconsider this matter once alternative texts are received.

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On UNEP's Water Policy and Strategy, delegates disagreed on whether language in the text in the relevant water policy and strategy document (UNEP/GC.21/2/Add.1) should refer to "transboundary" or "international" waters/water courses. The existing text was forwarded to the drafting group, along with a draft decision on Implementation of the Malmö Declaration.

#### PLENARY

UNEP Executive Director Klaus Töpfer introduced agenda items on emerging policy issues, the outcome of the sixth special session of the Governing Council, and contributions to future sessions of the CSD. Delegates then considered these issues, as well as the agenda item on the state of the environment.

Regarding support for Africa, JAPAN, with the EU and NORWAY, emphasized UNEP's role in solving Africa's environmental challenges and the need for adequate resources to carry out this role. The EU, MALAWI and KENYA stressed linkages between poverty and environmental problems. KENYA advocated increased UNEP support for implementation of the CCD and, with ALGERIA, supported inclusion of desertification as a GEF programme area.

JAPAN highlighted UNEP's role in disaster reduction, the importance of addressing environmental issues from a human security perspective and the transfer of environmentally-sound technologies. KENYA requested support for, *inter alia*, Africa's disaster centers and the establishment of environmental management crisis centers. With the EU, he supported enhancing UNEP's work in emergency preparedness and response. INDIA expressed the hope that the recent earthquake in India would encourage discussion on natural disasters, and called for building cost-effective, earthquake-resistant technologies.

On chemicals, NORWAY said UNEP should spearhead the various chemicals initiatives. CANADA noted its US\$20 million contribution to the POPs fund for POPs management in developing countries. PALESTINE urged the UN to take steps to curb irresponsible energy consumption and smuggling of hazardous wastes and chemicals and establish a global authority to monitor environment-related conflicts. YUGOSLAVIA called attention to the negative environmental impacts of recent NATO bombings and said clean-up projects require international support. IRAQ supported addressing the problem of depleted uranium and, in regard to UNEP's water policy (UNEP/GC.21/2/Add.1), said he preferred amending "transboundary waters" to "international waters." SYRIA concurred, while TURKEY objected to any amendments. ISRAEL reported renewed cooperation with Palestine on protecting water resources.

On governance and information for decision making, CANADA supported discussions on a governance process in the lead up to the World Summit on Sustainable Development. ALGERIA said a new system of governance must allow for effective participation of developing countries. NORWAY and KENYA supported UNEP's collaboration with civil society, while CHINA said civil society participation should be in line with UN rules and not dilute UNEP's role as an intergovernmental forum. CUBA said grassroots-level work was necessary to address national-level environmental problems effectively.

NEW ZEALAND supported a clearly defined role for UNEP in the World Summit on Sustainable Development and SWITZERLAND emphasized the need for the Summit to strengthen global environmental architecture, particularly UNEP. BARBADOS said issues relevant to Small Island Developing States deserve special attention in preparations for the Summit, and called for measures to enable full participation of developing countries at environmental meetings.

The UNECE, supported by the CZECH REPUBLIC, noted the importance of the Aarhus Convention in the area of environmental democracy and its usefulness as a model for agreements in other areas. The CZECH REPUBLIC said public access to environmental information was a prerequisite for the policy development process. THAILAND and IRAQ said global environmental awareness and international collaboration are essential in resolving environmental problems.

The EUROPEAN COMMISSION highlighted the crucial role UNEP plays in ensuring that international trade and capital markets promote sustainable development, and supported environmental

impact assessment of trade agreements and enhancing UNEP's engagement with the private sector. SWITZERLAND said it had relaunched the debate within the WTO on the relationship between the WTO and environmental regimes. The GAMBIA called for UNEP's assistance in ensuring that trade and investment policies are more responsive to dictates of sustainable development, while NEW ZEALAND urged approaching trade and environment with caution to avoid unjustified trade barriers.

ENVIRONMENT LIASON CENTER INTERNATIONAL recommended that, *inter alia*, the Governing Council commit new, stable and timely financial resources; and environmental agreements be universally ratified by 2002. INDONESIA called for technical and legal expertise, awareness raising activities and training for policy development and environmental law enforcement.

#### WORKING GROUP

The informal working group formed by the COW to consider programme and budget matters convened in the afternoon under the chairmanship of Ivo Sieber (Switzerland). The session focused on information exchange between delegations and the Secretariat. In response to delegates' questions, the Secretariat offered clarification and information with regard to: the possibility of achieving funding to meet the proposed work programme; the extent to which the Executive Director can exercise authority in reallocating resources between programmes; the UN regular budget support to its various offices in terms of their total resources; the cost-recovery situation of the Mercure project; and the request for a US\$8 million loan from the Financial Reserve of the Environment Fund to expand UNON.

#### IN THE BREEZEWAYS

Delegates have been discussing the global environmental governance issue, with talk focused on a discussion paper prepared by Canada. The paper proposes the establishment of an eminent persons advisory panel to help fast track discussion on governance. The idea received a lukewarm response from some participants, who expressed reservations on calls for new processes or institutions prior to evaluating the implementation of the Töpfer Taskforce's recommendations.

However, there appears to be consensus that UNEP should address this issue and integrate and link any proposals within the intergovernmental process of the Governing Council and contribute to preparatory work for the World Summit on Sustainable Development. This would ensure UNEP's involvement in the process and influence on the Summit's outcome. Yet some participants have cautioned that it might not be practical to expect this Governing Council session to reach a concrete decision on the matter, due to time constraints.

There is also a perception among some observers that the scope of international environmental governance is broader than environmental concerns, and should also cover sustainable development governance.

#### THINGS TO LOOK FOR TODAY

**PLENARY:** Plenary will convene at 10:00 am to consider coordination and cooperation within and outside the UN, governance, follow-up of GA resolutions and linkages among environmental and environment-related conventions. A special Plenary on chemicals is scheduled for the afternoon.

**COMMITTEE OF THE WHOLE:** The COW will resume at 10:15 am to consider remaining draft decisions relating to subprogrammes on environmental assessment and early warning, environmental policy development and law, and policy implementation. It is then likely to consider the remaining subprogrammes. It will also hear the report of the working group on programme and budget matters.

**DRAFTING GROUP:** The group considering draft decisions forwarded by the COW is likely to meet throughout the day.

**SPECIAL EVENTS:** A UNEP/ICRAF agroforestry site will be launched at the Gigiri Nature Trail at 2:30 pm. A special event on strengthening global environment policies by reforming UN organizations - the new report of the German Advisory Council on Global Change - will take place at 6:00 pm in the Press Room.