



**Governing Council  
of the United Nations  
Environment Programme**



Distr.  
GENERAL

UNEP/GC.21/4  
22 December 2000

ORIGINAL: ENGLISH

---

Twenty-first session  
Nairobi, 5-9 February 2001  
Item 4 (c), (d), 6 and 7 of the provisional agenda\*

**GLOBAL MINISTERIAL ENVIRONMENT FORUM**

COORDINATION AND COOPERATION WITHIN AND OUTSIDE THE UNITED NATIONS,  
INCLUDING NON-GOVERNMENTAL ORGANIZATIONS

GOVERNANCE OF THE UNITED NATIONS ENVIRONMENT PROGRAMME

FOLLOW-UP OF GENERAL ASSEMBLY RESOLUTIONS

LINKAGES AMONG AND SUPPORT TO ENVIRONMENTAL AND  
ENVIRONMENT-RELATED CONVENTIONS

Global environmental governance and the United Nations Environment Programme

Report of the Executive Director

This report presents a summary of the activities of the United Nations Environment Programme (UNEP) as they relate to the components of global environmental governance. The report includes information submitted in response to General Assembly resolution 53/242 of 28 July 1999, and Governing Council decisions 19/32 of 4 April 1997, 20/3 of 3 February 1999, 20/4, 20/20 and 20/28 of 4 February 1999 and 20/6, 20/7, 20/12, 20/13, 20/17, 20/18B and 20/19A of 5 February 1999. It also presents highlights of the relevant resolutions adopted at the fifty-fourth and fifty-fifth sessions of the General Assembly.

---

\* UNEP/GC.21/1.

K0000363 180101

Contents

	<u>Page</u>
I. Implementation of General Assembly resolution 53/242 .....	4
A. The Global Ministerial Environment Forum.....	4
B. The Environmental Management Group .....	4
C. Cooperation with the United Nations Centre for Human Settlements (Habitat) .....	5
D. Enhancing linkages and coordination within and among environmental and environment-related conventions .....	5
E. Engagement of major groups .....	5
F. Programme components.....	5
II. Governance of UNEP .....	6
A. The High-level Committee of Ministers and Officials .....	6
B. Committee of Permanent Representatives .....	7
III. Follow-up of the relevant General Assembly resolutions adopted at its fifty-fourth and fifty-fifth sessions .....	7
A. The outcome of the Millennium Summit.....	7
B. Ten-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development .....	8
C. Enhancing complementarities among international instruments related to environment and sustainable development .....	9
D. Other relevant resolutions .....	11
IV. Environmental law .....	11
A. Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century .....	11
B. Advisory services in key areas of institution-building .....	12
C. Promotion of access to information, public participation in decision-making and access to justice in environmental matters .....	14
D. Compliance and enforcement .....	15

V.	Environmental conventions .....	16
A	Promoting collaboration among multilateral environmental conventions .....	16
B	Programme support to multilateral environmental conventions .....	18
C	Status of environmental conventions.....	23
VI.	The Global Environment Facility .....	25
A	UNEP's participation in the Global Environment Facility (Global Environment Facility) 1999-2000 .....	25
VII.	Suggested action by the Governing Council.....	26

## I. IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 53/242

### A. The Global Ministerial Environment Forum

1. The General Assembly, in its resolution 53/242 of 28 July 1999 concerning the report of the Secretary-General on the environment and human settlements, stated: "... Welcomes the proposal to institute an annual, ministerial level, global environmental forum, with the Governing Council of the United Nations Environment Programme constituting the forum in the years that it meets in regular session and, in alternate years, with the forum taking the form of a special session of the Governing Council, in which participants can gather to review important and emerging policy issues in the field of the environment, with due consideration for the need to ensure the effective and efficient functioning of the governance mechanism of the United Nations Environment Programme, as well as possible financial implications, and the need to maintain the role of the Commission on Sustainable Development as the main forum for high-level policy debate on sustainable development."

2. Pursuant to that resolution, the first Global Ministerial Environment Forum/sixth special session of the Governing Council was held in Malmö, Sweden, from 29 to 31 May 2000. The Malmö Ministerial Declaration was adopted by that forum/session. Earlier, a series of consultations was held between UNEP and Governments, through the Committee of Permanent Representatives to UNEP, on the modalities of the forum/session.

3. The General Assembly, in its resolution 55/200 of 20 December 2000, welcomed the convening of the first Global Ministerial Environment Forum and, in this regard, expressed its deep appreciation to the Government of Sweden for the generous manner in which it hosted and provided facilities for the forum. The General Assembly took note with appreciation of the Malmö Ministerial Declaration as one of the contributions to the Millennium Summit and to the preparations for the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development.

### B. The Environmental Management Group

4. In its resolution 53/242, the General Assembly expressed its support for the proposal of the Secretary-General regarding the establishment of an Environmental Management Group for the purpose of enhancing inter-agency coordination in the field of the environment and human settlements. Consequently, the Executive Director, who is to chair that group, undertook consultations with Governments and members of the Administrative Committee on Coordination to discuss and agree on the modalities of the Environment Management Group, including the terms of reference.

5. The group is to be a problem-solving, results-oriented mechanism to foster coordinated action on specific environmental issues. It is envisaged that an important goal of the Environmental Management Group will be to achieve effective coordination and joint action to identify, address and resolve collectively specific problems and concrete environmental issues. It will provide a forum for an early discussion and the sharing of information on such issues. It is expected that the Environmental Management Group will facilitate the mandate of UNEP to integrate the environmental dimension of sustainable development into United Nations programmes, as emphasized by the Governing Council in its decision 20/12.

6. The first meeting of the Environmental Management Group is to be convened by the Executive Director in Geneva on 22 January 2001. The meeting will discuss, inter alia, expectations from closer collaboration among United Nations bodies and agencies on environmental and human settlement issues, resulting in an initial work programme to operationalize the mechanism. Discussions will highlight issues of common interest to be included in the future work programme of the group.

C. Cooperation with the United Nations Centre for Human Settlements (Habitat)

7. UNEP and UNCHS (Habitat) have increased coordination of their activities. Such efforts have been centered on their joint activities, including a joint initiative on Managing Water for African Cities and the Sustainable Cities Programme. In order to strengthen the programme linkages between the two organizations, UNEP established in 2000 a unit dedicated to the enhancement of coordination between the two organizations.

D. Enhancing linkages and coordination within and among environmental and environment-related conventions

8. In pursuance of General Assembly resolution 53/242 and Governing Council decision 20/18B, UNEP has undertaken programme activities to enhance linkages and coordination among environmental and environment-related conventions. The highlights of the recent activities of UNEP in this area will be found in section V below.

E. Engagement of major groups

9. The General Assembly, in its resolution 53/242, welcomed the proposals contained in the report of the Secretary-General on the environment and human settlements. The critically important role of civil society in addressing environmental issues was emphasized in the Malmö Ministerial Declaration.

10. In accordance with the recommendations of the report in the Secretary-General on environment and human settlements, UNEP established in 2000 its Civil Society and NGOs Unit to strengthen partnerships with major groups, as called for in the Malmö Ministerial Declaration. A summary of recent activities of UNEP to enhance collaboration with NGOs and civil society is presented in document UNEP/GC.21/3.

11. UNEP held an NGO forum in conjunction with the sixth special session of the Governing Council/Global Ministerial Environment Forum, held in Malmö, Sweden, in May 2000. The NGO forum, which brought together 45 national and international NGOs, provided the Governing Council with its recommendations reflecting the deliberations. A similar NGO forum will be held in Nairobi in February 2001 in connection with the twenty-first session of the Governing Council/Global Ministerial Environment Forum.

12. With regard to the private sector, UNEP has been active in cooperating with industry and business associations in the promotion of cleaner production and voluntary environmental initiatives. In support of the Secretary-General's initiative, UNEP will organize on policy dialogue with the private sector and other major groups to consider environmental aspects of the global compact in connection with the twenty-first session of the Governing Council/Global Ministerial Environment Forum.

13. One of the recommendations of the Secretary-General's report pointed out the need to reform the practices of the Governing Council with respect to the involvement of major groups. It was proposed, as an initial step, to adopt the standard of the Commission on Sustainable Development. The Governing Council may wish to give due consideration to ways and means to implement this recommendation.

F. Programme components

14. The General Assembly, in its resolution 53/242, stressed the importance of the programme components of UNEP in the areas of information, monitoring and assessment of global and regional environmental trends, early-warning information on environmental threats, capacity-building, technical assistance for strengthening institutions in developing countries and a greater role of UNEP in the Global Environment Facility. The activities of UNEP in these areas are reported in other sections of this report and in other documents made available to the Governing Council (see UNEP/GC.21/2).

## II. GOVERNANCE OF UNEP

15. The Governing Council, in its decision 19/32 of 4 April 1997, established the governance structure of UNEP and decided to review that structure at its twenty-first session with a view to assessing its effectiveness, taking into account any relevant results of the reform process of the United Nations system.

### A. High-level Committee of Ministers and Officials

16. In its decision 19/32, the Governing Council decided to establish a High-level Committee of Ministers and Officials (HLCOMO) as a subsidiary organ of the Governing Council with the following mandate:

- (a) To consider the international environmental agenda and to make reform and policy recommendations to the Governing Council;
- (b) To provide guidance and advice between sessions of the Governing Council to the Executive Director on emerging environmental issues in order to enable UNEP to make a timely response;
- (c) To enhance the collaboration and cooperation of UNEP with other relevant multilateral bodies and the secretariats of environmental conventions;
- (d) To support the Executive Director in mobilizing adequate and predictable financial resources for UNEP for the implementation of the global environmental agenda approved by the Governing Council.

17. HLCOMO consists of 36 members elected by the Governing Council from among members of the United Nations and members of its specialized agencies for a period of two years, taking into account the principle of equitable regional representation as reflected in the composition of the Governing Council. The president of the Governing Council and the chairman of the Committee of Permanent Representatives are invited to attend the meetings. HLCOMO held four meetings since its establishment: in New York in June 1997, in Nairobi in March 1998, in Buenos Aires in November 1998 and in Bonn in November 1999.

18. The fourth meeting of HLCOMO requested its Bureau to review issues of the governance and to propose options for consideration by the Governing Council at its next session. The HLCOMO Bureau considered this matter at its meeting in Geneva on 2 April 2000. The Bureau was of the view that the decision regarding the future of HLCOMO should be taken by the twenty-first session of the Governing Council. The Bureau noted that in doing so the Governing Council would benefit from the experience gained through the convening of the Global Ministerial Environment Forum/sixth special session of the Governing Council in Malmö, Sweden, in May 2000. At that same meeting, the Bureau recommended that in reviewing the future of HLCOMO the need for a high-level intergovernmental consultative mechanism during the inter-sessional period of the Governing Council should be considered. On the other hand, a proposal to strengthen the Committee of Permanent Representatives, in terms of the frequency of its regular meetings and the use of the six official languages to conduct its work, was discussed.

19. Since the establishment of HLCOMO, some important developments have taken place. The Secretary-General set up a task force on the environment and human settlements to review the position of environmental policy within the United Nations system. Following this review, the General Assembly, in its resolution 53/242, welcomed the holding of an annual ministerial-level meeting with the Governing Council of UNEP, constituting the forum in the years that it meets in regular session and, in alternate years, with the forum taking the form of a special session of the Governing Council. It is meant to enable environment ministers to review important and emerging policy issues in the field of the environment, with due consideration for the need to ensure the effective and efficient functioning of the governance mechanisms of UNEP. In pursuance of resolution 53/242, the inaugural Global Ministerial Environment Forum/sixth special session of the Governing Council was held in Malmö, Sweden from 29 to 31 May 2000.

## B. Committee of Permanent Representatives

20. In its decision 19/32, the Governing Council decided that, with a view to strengthening the Committee of Permanent Representatives as a subsidiary organ of the Governing Council, it was to have the following mandate:

- (a) Within the policy and budgetary framework provided by the Governing Council, to review, monitor and assess implementation of decisions of the Council on administrative, budgetary and programme matters;
- (b) To review the draft programme of work and budget during their preparation by the secretariat;
- (c) To review reports requested of the secretariat by the Governing Council on the effectiveness, efficiency and transparency of the functions and work of the secretariat and to make recommendations thereon to the Governing Council;
- (d) To prepare draft decisions for consideration by the Governing Council based on inputs from the secretariat and on the results of the functions specified above.

21. The Committee consists of the representatives of all members States of the United Nations and members of its specialized agencies, and the European Community, accredited to UNEP, whether based in Nairobi or elsewhere. The Committee holds four regular meetings a year. Extraordinary meetings can be convened by its chairman after consultation with the other members of the Bureau or at the request of at least five members of the Committee. The Committee has established its subsidiary bodies, subcommittees and working groups to assist its work on specific subjects, which meet frequently during the inter-sessional period of the Committee. Experience gained supports more frequent regular meetings of the Committee owing to its demanding workload. A proposal has been made to change the frequency of the meetings from the present four meetings a year to six meetings a year.

## III. FOLLOW-UP OF RELEVANT RESOLUTIONS ADOPTED AT THE FIFTY-FOURTH AND FIFTY-FIFTH SESSIONS OF THE GENERAL ASSEMBLY

### A. The outcome of the Millennium Summit

22. The General Assembly, held in the form of the Millennium Summit in New York from 6 to 8 September 2000, adopted, in its resolution 55/2 of 8 September 2000, the United Nations Millennium Declaration.

23. Part I of the Declaration “Values and principles”, emphasizes certain fundamental values as essential to international relations in the twenty-first century. These include freedom, equality, solidarity, tolerance, respect for nature and shared responsibility. Among these, respect for nature is described as: “Prudence must be shown in the management of all living species and natural resources, in accordance with the precepts of sustainable development. Only in this way can the immeasurable riches provided to us by nature be preserved and passed on to our descendents. The current unsustainable patterns of production and consumption must be changed in the interest of our future welfare and that of our descendents.”

24. The Declaration, in its part IV, “Protecting our common environment”, states that:

“We must spare no efforts to free all of humanity, and above all, our children and grandchildren, from the threat of living on a planet irredeemably spoilt by human activities, and whose resources would no longer be sufficient for their needs. We reaffirm our support for the principles of sustainable development, including those set out in Agenda 21, agreed upon at the United Nations Conference on Environment and Development. We resolve therefore to adopt in all our environmental actions a new ethic of conservation and stewardship and, as first steps, we resolve: To make every effort to ensure the

entry into force of the Kyoto Protocol, preferably by the tenth anniversary of the United Nations Conference on Environment and Development in 2002, and to embark on the required reduction in emission of greenhouse gases. To intensify our collective efforts for the management, conservation and sustainable development of all types of forests. To press for full implementation of the Convention on Biological Diversity and the Convention to Combat Desertification in Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa. To stop the unsustainable exploitation of water resources by developing water management strategies at the regional, national and local levels, which promote both equitable access and adequate supply. To intensify cooperation to reduce the number and effects of natural and man-made disasters. To ensure free access to information on the human genome sequence.”

25. Other sections of the Declaration are “Peace, security and disarmament”, “Development and poverty eradication”, “Human rights, democracy and good governance”, “Protecting the vulnerable”, “Meeting the special needs of Africa” and “Strengthening the United Nations”.

26. The General Assembly, in its resolution 55/162 of 14 December 2000, “Follow-up to the outcome of the Millennium Summit”, called for “an integrated, coordinated, comprehensive and balanced approach in the implementation of the Millennium Declaration at the national, regional and international levels.” The General Assembly recognized that “Governments bear the main responsibility, individually and collectively, for action and implementation of the Declaration”, and called upon “the entire United Nations system to assist member States in every way possible in the implementation of the Declaration.” All relevant organs, organizations and bodies of the United Nations system have been called upon by the General Assembly to be involved in follow-up to the Millennium Summit. Regarding Africa, the General Assembly requested “the United Nations system to take action to meet the special needs of Africa and to strengthen the broad range of its engagement in Africa, with a view to intensifying support for poverty eradication and sustainable development, for combating diseases and pandemic and for the process of conflict prevention and the consolidation of democracy.” Addressing the major groups, the General Assembly called for “enhanced partnership and cooperation with national parliaments as well as civil society, including non-governmental organizations and the private sector, as set out in the Declaration, to ensure their contribution to the implementation of the Declaration.”

B. Ten-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development

27. The General Assembly, in its resolution 55/199 of 20 December 2000, decided to organize the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development in South Africa in 2002 at the summit level in order to reinvigorate the global commitment to sustainable development. It decided to call the summit the “World Summit on Sustainable Development”. In that resolution, the General Assembly took note with appreciation of the Malmö Ministerial Declaration and decided that the review should focus on the identification of accomplishments and areas where further effort is needed to implement Agenda 21 and other outcomes of the United Nations Conference on Environment and Development and on action-oriented decisions in areas where further efforts are needed to meet new challenges and opportunities. The result should be renewed political commitment and support for sustainable development, consistent, with the principle of common but differentiated responsibilities. It decided that the summit in 2002, including its preparatory process, should ensure a balance between economic and social development and environmental protection as these are interdependent and mutually reinforcing components of sustainable development.

28. The General Assembly reconfirmed the political importance of the forthcoming 10-year review of progress achieved since the United Nations Conference on Environment and Development and underscored that the review should focus on implementation of Agenda 21 and other outcomes of the conference, as well as the programme for the further implementation of Agenda 21 adopted by the General Assembly at its nineteenth special session in 1997. The General Assembly reconfirmed that Agenda 21 and the Rio Declaration on Environment and Development should not be renegotiated and that the review should identify measures for further implementation of Agenda 21 and the other outcomes of the United Nations Conference on Environment and Development, including sources of funding.

29. The General Assembly welcomed the work undertaken by the United Nations Secretariat in close cooperation with UNEP, UNDP, the regional commissions and the secretariats of conventions related to the United Nations Conference on Environment and Development, as well as other relevant organizations, agencies and programmes within and outside the United Nations system, including international and regional financial institutions, and the Global Environment Facility, to support preparatory activities at the national and regional levels in a coordinated and mutually reinforcing way.

30. UNEP, among others, has been invited by the General Assembly to participate fully in the 10-year review of progress achieved in the implementation of Agenda 21, including the preparation of reports for submission to the Commission on Sustainable Development at its tenth session and the Summit in 2002, in order to reflect experiences and lessons learned as well as to provide ideas and proposals for the way forward for further implementation of Agenda 21 in relevant areas.

31. The meetings of the tenth session of the Commission on Sustainable Development are to be transformed into an open-ended preparatory committee. A three-day meeting of the tenth session of the Commission will be held in New York from 30 April to 2 May 2001 so that the Commission can begin its work as the preparatory committee for the Summit in 2002. In 2002, the Commission on Sustainable Development, acting as the preparatory committee for the summit, will hold three additional sessions, organized as follows. At its first and second substantive preparatory sessions, to be held in January and March 2002, respectively, the preparatory committee will undertake a comprehensive review and assessment of progress achieved in the implementation of Agenda 21 and the programme for the further implementation of Agenda 21. At the second substantive session, the preparatory committee is to agree on the text of a document containing the results of the review and assessment, as well as conclusions and recommendations for further action. Drawing upon the agreed text of that a document, the third and final substantive preparatory session, to be held at the ministerial level in Indonesia in May 2002, will prepare a concise and focused document that should emphasize the need for a global partnership to achieve the objectives of sustainable development, reconfirm the need for an integrated and strategically focused approach to the implementation of Agenda 21 and address the main challenges and opportunities faced by the international community in this regard. The document to be submitted for further consideration and adoption at the Summit in 2002 should reinvigorate, at the highest political level, the global commitment to a North-South partnership and a higher level of international solidarity to accelerate implementation of Agenda 21 and promote sustainable development.

C. Enhancing complementarities among international instruments related to environment and sustainable development

32. The General Assembly, in its resolution 54/217 of 22 December 1999, encouraged the conferences of the parties and the secretariats of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa to examine further appropriate opportunities and measures to strengthen their complementarities and to improve the scientific assessment of linkages among the three conventions. In that resolution, the General Assembly emphasized the importance of facilitating and supporting the enhancement of linkages and coordination among environmental and environment-related conventions by UNEP with full respect for the status of the secretariats of the conventions and the autonomous decision-making prerogatives of the conferences of the parties to those conventions. In this regard, the General Assembly supported the proposal of the Secretary-General concerning the establishment of an environmental management group for the purpose of enhancing inter-agency coordination in the areas of environment and human settlements, as stipulated in General Assembly resolution 53/242.

33. The General Assembly encouraged the secretariats of the environmental and environment-related conventions and international organizations, with full respect for the status of the secretariats of the conventions and the autonomous decision-making prerogatives of the conferences of the parties to the conventions concerned, to strengthen cooperation with a view to facilitating progress in the implementation of those conventions at the international, regional and national levels by:

- (a) Identifying opportunities for complementarity of activities undertaken to facilitate the implementation of commitments made by the parties to the various conventions;
- (b) Encouraging the carrying out of further scientific analysis by relevant international organizations, such as UNEP, the secretariats of the conventions, their subsidiary bodies, the United Nations Secretariat and relevant international scientific bodies, in order to identify possible activities with potential multiple benefits and to bring them to the attention of the conferences of the parties;
- (c) Promoting more effective and coherent support from international organizations and financial institutions and mechanisms for national action aimed at the implementation of the conventions, in particular in the area of capacity-building;
- (d) Addressing practical issues, such as more effective exchange of information, enhanced awareness-raising and streamlining of national reporting;
- (e) Supporting, upon request, efforts being made at the national level towards adopting an integrated and holistic approach to the implementation of environmental and environment-related conventions;
- (f) Bringing relevant issues to the attention of the General Assembly and relevant intergovernmental bodies for the consideration of member States and the formulation of agreed policy recommendations, with a view to promoting a more holistic approach.

34. The General Assembly, in its resolution 55/199 of 20 December 2000, reaffirmed the need for greater coherence in intergovernmental organizations and processes by means of better policy coordination at the intergovernmental level, as well as for continued and more concerted efforts to enhance collaboration among the secretariats of relevant decision-making bodies within their respective mandates. It emphasized the need for the conferences of the parties and permanent secretariats of the environmental conventions to continue to pursue sustainable development objectives that are consistent with those conventions and with Agenda 21. The General Assembly welcomed the work undertaken by the secretariats of the instruments related to environment and sustainable development and other relevant organizations to implement resolution 54/217.

35. The General Assembly encouraged the conferences of the parties and permanent secretariats of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa and other international instruments related to environment and sustainable development, as well as relevant organizations, especially UNEP, including, as appropriate the involvement of the environmental management group, to continue their work for enhancing complementarities among them with full respect for the status of the secretariats of the conventions and the autonomous decision-making prerogatives of the conferences of the parties to the conventions concerned and to strengthen cooperation with a view to facilitating progress in implementation of those conventions at the international, regional and national levels and to report thereon to their respective conferences of the parties. The General Assembly encouraged the conferences of the parties to promote the streamlining of national reporting.

36. The General Assembly invited the permanent secretariats of the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity, the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa and other international instruments related to environment and sustainable development organizations, to provide further information on their work to implement resolution 54/217 and other complementary activities in their contributions to the preparatory process of the review of the implementation of Agenda 21 to be carried out in 2002.

#### D. Other relevant resolutions

37. The General Assembly, in its resolution 55/200 of 20 December 2000 concerning the report of the Governing Council of UNEP on its sixth special session, took note with appreciation of the report of the Governing Council and noted the decisions contained therein and the consultations among member States in preparation for the twenty-first session and, in this regard, also took note of the ongoing consultations contributing to further elaboration and implementation of the water policy and strategy of UNEP. The General Assembly welcomed the convening of the first Global Ministerial Environment Forum and, in this regard, expressed its deep appreciation to the Government of Sweden for the generous manner in which it hosted and provided facilities for the forum and took note with appreciation of the Malmö Ministerial Declaration as one of the contributions to the Millennium Summit and to the preparations for the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development. In that resolution, the General Assembly stressed the importance of the section of the United Nations Millennium Declaration on protecting our common environment that reaffirms the principles of sustainable development as set out in Agenda 21 and resolves to adopt a new ethic of conservation and stewardship in all environmental actions.

38. The General Assembly welcomed the decision of the Governing Council on the contribution of UNEP to the implementation of Agenda 21 and the programme for the further implementation of Agenda 21 and stressed that UNEP, as the principal body in the field of the environment within the United Nations system, should continue to play an important role in the implementation of Agenda 21 and in the preparation of the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development. The General Assembly underscored the need for sufficient financial resources, on a stable and predictable basis, to ensure the full implementation of the mandate of UNEP, in particular with a view to ensuring its strong involvement in the preparatory process for the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development at all levels and in the implementation of the outcome of the review. The General Assembly requested the Secretary-General to provide the necessary resources from the regular budget of the United Nations to UNEP for the biennium 2002-2003, in accordance with current budgetary practices, and to consider other ways to support the strengthening of the programme in view of the 10-year review of progress achieved in the implementation of the outcome of the United Nations Conference on Environment and Development.

39. A summary of other relevant resolutions of the General Assembly adopted at its fifty-fourth and fifty-fifth sessions can be found in UNEP/GC.21/INF/12.

### IV. ENVIRONMENTAL LAW

#### A. Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century

40. Since the establishment of UNEP, environmental law has been one of its priority areas and is recognized as an effective tool for catalyzing national and international action in the field of the environment. The role and competence of UNEP in the progressive development and promotion of environmental law has been repeatedly emphasized at various international forums, including the General Assembly, the UNEP Governing Council and the Commission on Sustainable Development. Agenda 21, in its chapter 38, identifies environmental law as one of the priority areas on which UNEP should concentrate. In particular, it underscores the role of UNEP in the further development and implementation of international environmental law, as well as provision of technical, legal and institutional advice to Governments in establishing and enhancing their national legal and institutional frameworks. This role is emphasized in the Nairobi Declaration on the role and mandate of UNEP as well as in the programme for the further implementation of Agenda 21, adopted by the General Assembly at its nineteenth special session. The Malmö Ministerial Declaration underscores the importance of this area in the work of UNEP.

41. Beginning in 1982, UNEP's environmental law activities were organized and coordinated through a series of 10-year programmes for the development and periodic review of environmental law. The first programme (Montevideo Programme I) was prepared in Montevideo in 1981 by a meeting of senior government officials and adopted in 1982 by the tenth session of the Governing Council. The programme for the 1990s (Montevideo Programme II) was adopted by the seventeenth session of the Governing Council in May 1993. These programmes have been instrumental in providing UNEP with strategic guidance in this field. In its decision 20/3 of 3 February 1999, the Governing Council, at its twentieth session, requested the Executive Director to undertake a process for the preparation of a new programme for the development and periodic review of environmental law. In pursuance of Governing Council decision 20/3, the Executive Director undertook a process for the preparation of a new programme for the development and periodic review of environmental law in consultation with Governments and relevant organizations. As part of this process, in 2000, UNEP convened two meetings of an international group of experts to develop possible components of the new programme. The group was regionally balanced and consisted of experts in international environmental law with a wide range of practical and academic experience acting in their personal capacity. Relevant organizations and convention secretariats were also represented at the meetings.

42. On the basis of that preparatory work, the Executive Director convened a meeting in Nairobi from 23 to 27 October 2000 of senior government officials expert in environmental law to prepare a programme for the development and periodic review of environmental law for the first decade of the twenty-first century. The meeting thoroughly examined the possible components prepared by the international group of experts and developed a draft programme, taking due account of the report of the UNEP secretariat on the implementation of the programme for the development and periodic review of environmental law for the 1990s. On 27 October 2000, the meeting adopted the draft programme for the first decade of the twenty-first century, as contained in annex I to its report UNEP/Env.Law/4/4. The meeting submitted the draft programme to the Governing Council for adoption. The draft programme is reproduced in UNEP/GC.21/INF/3 in the six official languages and is made available to the Council.

#### B. Advisory services in key areas of institution-building

43. In accordance with decisions 20/3 and 20/6 of the Governing Council, UNEP continued to provide developing countries and countries with economies in transition with advisory services and technical assistance to develop environmental legislation and relevant institutions. By providing such advisory services, UNEP assists countries in integrating environment and development in decision-making.

44. UNEP continued to provide legal advisory services to assist developing countries and countries with economies in transition in developing national environmental legislation and institutions. In 1999, UNEP provided this assistance to 13 countries (Cameroon, El Salvador, Ghana, Honduras, Kazakhstan, Liberia, Mauritania, Myanmar, Nepal, Niger, Peru, Rwanda and Sri Lanka). The countries that received technical assistance from UNEP in 2000 included Nigeria, for the review of environmental legislation; the Lao People's Democratic Republic, for the development of a national decree on water law; Rwanda, for the preparation of a memorandum of understanding on legal technical assistance; Mauritania, concerning legal training; and Antigua and Barbuda, for the preparation for a review of environmental legislation.

45. UNEP also provided assistance to Armenia, Belarus and the Russian Federation for the harmonization of environmental laws with a view to developing a holistic legal system in the Commonwealth of Independent States countries. To increase the role of the judiciary in environmental matters and sustainable development, UNEP organized a regional symposium entitled the Southeast Asian Justices Symposium: The Law on Sustainable Development in Manila in March 1999 and one for the Latin America and the Caribbean region entitled the Judicial Symposium on Environmental Law and Sustainable Development: Access to Environmental Justice in Latin America in Mexico City in January 2000.

46. In order to assist governments to train their officials to support a regulatory system in environmental matters, UNEP convened the fourth Global Training Programme on Environmental Law and Policy in Nairobi for three weeks in November and December 1999. Government officials and experts from 47 countries around the world were provided with information on environmental law and opportunities for enhancing their skills in

environmental law. To make legal information widely accessible, UNEP, together with IUCN, developed the joint UNEP/IUCN Environmental Law Information Service (ECOLEX). ECOLEX is a comprehensive, global database on environmental law information, which will ensure better access to such information, particularly by developing countries.

47. UNEP continued to assist to African countries in enhancing their national environmental legislation and related institutions under the Joint UNEP/UNDP/Dutch Project on Environmental Law and Institutions in Africa. Since May 1999, seven training workshops have been held for more than 200 participants, including government officials, non-governmental organizations and the private sector, on environmental impact assessment in Sao Tome and Principe and Kenya; environmental litigation and judicial intervention in environmental cases in Malawi; colloquiums for parliamentarians on environmental legislation in Kenya and Burkina Faso; and two workshops on implementation of conventions related to biological diversity in Africa.

48. UNEP actively supported African countries in the formulation of environmental policies and policy instruments. This includes support to regional and sub-regional cooperative frameworks, as well as support to Governments through legal and technical advisory services and technical assistance in various programme areas. In order to meet the needs of Africa effectively, UNEP is finalizing a comprehensive strategy document, "Joining Hands", which contains innovative, concrete and realistic action proposals to deal with the complex and emerging environmental concerns of Africa

49. UNEP convened the eighth session of the African Ministerial Conference on the Environment (AMCEN), which was held in Abuja, Nigeria, from 3 to 6 April 2000 as part of the firm resolve of African Governments to strengthen this important regional cooperation mechanism to meet the environmental management challenges of the twenty-first century. In addition, this project has continued the production and distribution of materials on environmental policy and law, which included a two-volume compendium of judicial decisions on matters related to environment. The memorandum of understanding on the environment, which was adopted under the project in October 1998, was amply reflected in the Treaty for the Establishment of the East African Community signed on 30 November 1999. This project enhanced the capacity of East African countries by providing a well-conceived body of recommendations and law instruments which will strengthen future environmental management in the region.

50. UNEP has strengthened its presence in the regions in order to ensure effective government participation in the work of UNEP and to ensure that regional concerns, priorities and perspectives are fully taken into account in the development of UNEP policies, programme planning and implementation. UNEP has reviewed and analyzed regularly the status of regional environmental problems and assists in the formulation of response strategies. Governments and other parties have been provided with information on the state of the global environment and global environmental issues. Advisory services and technical assistance have been provided upon request to Governments. UNEP has promoted activities disseminating new concepts and approaches for dealing with specific environmental problems in and between regions. Furthermore, UNEP has been providing forums and mechanisms for intergovernmental dialogue on environmental issues and supporting subregional and regional cooperation programmes on the environment, such as regional and subregional environmental frameworks and regional forums for policy dialogue and coordination. For example, experience gained in supporting the Forum of Ministers of the Environment in Latin America and the inter-agency technical committees serves as a model for establishing regional forums in other regions. Similarly, in Asia and the Pacific, experience gained at regional assessment centres serves to assist establishment of these centres elsewhere. Financial limitations have been the deciding factor in determining the amount of work that can be carried out and the assistance UNEP can provide. Extrabudgetary resources have made possible the provision of assistance to more countries than would otherwise have been possible.

51. Further information on the activities of UNEP in providing advisory services in key areas of institution building will be found in UNEP/GC.21/INF/15.

C. Promotion of access to information, public participation in decision-making and access to justice in environmental matters

52. Pursuant to Governing Council decision 20/4, UNEP has been collaborating with governments and relevant organizations to seek appropriate ways of enhancing access to environmental information, promoting public participation in decision-making and promoting access to justice in environmental matters.

53. UNEP has established a strategic partnership with the United Nations Economic Commission for Europe (ECE) in support of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). ECE provides the secretariat for the Aarhus Convention. A number of complementary capacity-building activities have taken place or are planned within the framework of this partnership. These include a television programme with the Television Trust for the Environment (TVE) to promote the principles of the Aarhus Convention, participation in awareness-raising workshops (one held in Turkmenistan in May 2000 for five Central Asian countries) and a publication for youth on the norms of the Aarhus Convention (to be launched at the Global Youth Forum in Copenhagen in March 2002).

54. A meeting was held in Rome in May 2000 to examine the relevance of the norms of the Aarhus Convention in other regions of the world. The meeting was attended by the Aarhus Convention advisory board and other governmental and non-governmental representatives from Africa, Asia and Latin America and the Caribbean. The meeting concluded that there was a need to assess formally the application of principle 10 of the Rio Declaration on Environment and Development. Building on the recommendations of this meeting, a draft project proposal is under discussion between UNEP and the regional commissions for Europe, Africa, Asia and the Pacific and Latin America and the Caribbean.

55. A follow-up meeting was convened by the World Resources Institute (WRI) in Washington from 3 to 4 November 2000 to discuss a joint project proposal by WRI and the Environmental Management Law Association to develop methodologies to measure access to information, public participation in decision-making and access to justice in environmental matters. Consultations are now taking place to integrate these project proposals.

56. Informal partnerships on the promotion of Principle Ten in Africa were established with several non-governmental organizations, including the World Resources Institute, the Environmental Law Institute, the Environment Liaison Centre International and the African Centre for Technology Studies. UNEP representatives attended a number of bilateral meetings and briefings with various ministries and organizations in 1999 and 2000.

57. UNEP, in cooperation with regional partners, held a workshop "Information, Awareness and Participation in the Field of Environment and Sustainable Development" in Cairo in October 2000. The workshop was convened in response to a decision of the parties to the UNEP Mediterranean Action Plan (MAP) to promote information dissemination, awareness and public participation as follow-up to the recently adopted MAP information strategy and recommendations by the Mediterranean Commission on Sustainable Development in related fields.

58. A workshop on the impact of information on decision-making processes was convened by UNEP/Global Resource Information Database Arendal in May 2000 for members of the Global Resource Information Database Arendal advisory board to review key issues related to the impact of environmental information on decision-making processes. An analytical framework for impact assessment was discussed, and case studies were presented. However, this work is experimental because there is a long time lag between preparing information and changing the environment.

59. The UNEP secretariat, through its regional offices, conducted a survey on environmental legislation and policies of countries in Latin America and Caribbean, Asia and the Pacific and Africa. National partners of the UNEP-INFOTERRA network provided the secretariat with information about development in their countries of access to information, public participation in decision-making and access to justice in environmental matters. A

preliminary analysis of these surveys shows that most countries have taken impressive steps to include these three considerations in their environmental legislation. Several countries have incorporated them into their national legislation. A major challenge confronting these countries is how these considerations are to be given legal effect. It appears, however, that action has not yet been taken in many countries. Environmental litigation is not yet well developed in Africa. The issue of locus standi has been a hurdle in most countries in obtaining access to the courts in seeking enforcement of environmental law. Furthermore, a lack of information networks and lax policy implementation in several countries have been a hindrance to furtherance of the three considerations in developing countries.

#### D. Compliance and enforcement

60. With a view to promoting the effectiveness of existing international environmental treaties, UNEP initiated activities to promote enforcement and compliance of environmental treaties. UNEP convened a workshop on enforcement of and compliance with multilateral environmental agreements in Geneva in July 1999, with the support of Canada, Germany, Japan and the United Kingdom. The workshop was attended by 49 experts from developed and developing countries and countries with economies in transition, drawn from law enforcement, customs and prosecution. It focused on the Basel Convention, CITES regulations and the Ozone treaties (the Vienna Convention and the Montreal Protocol) and discussed specific illegal trade issues in relation to each of the three conventions. Environmental crime and violations of the provisions of the conventions were also discussed. Representatives of relevant convention secretariats, the International Criminal Police Organization (INTERPOL) and the World Customs Organization were present. The workshop made recommendations for coordinating efforts to implement provisions of multilateral environmental agreements and promote compliance at the national level. The materials prepared for the workshop have been published as Enforcement of and Compliance with Multilateral Environmental Agreements: The Experiences of CITES, Montreal Protocol and Basel Convention. As follow-up to the recommendations of the workshop, the Executive Director refocused the work of the secretariat and established an Enforcement and Compliance Unit within the Division of Environmental Policy Implementation. Furthermore, UNEP has established a database of national enforcement agencies and focal points dealing with the enforcement of multilateral environmental agreements. As of 31 October 2000, a total of 72 governments had submitted relevant information to UNEP, which has been included in the database and updated regularly for sharing with enforcement authorities. Currently, UNEP is developing guidelines on compliance and enforcement of multilateral environmental agreements as recommended by that workshop.

61. Regarding the development of the guidelines referred to above, preliminary elements of the draft guidelines prepared by UNEP were reviewed by a working group of experts on compliance and enforcement of environmental conventions at a preparatory session held in Geneva in December 1999. The experts discussed the draft text and decided that the draft guidelines should be split into two sets, one related to compliance with multilateral environmental agreements and the other related to enforcement and environmental crime. The recommendations of that meeting were submitted to all Governments for review and comments. Responses received from 17 Governments from all regions were substantive and positive. In their comments, Governments generally recognized the need for additional work on the issues of compliance, enforcement of multilateral environmental agreements and prevention and combat of environmental crime. They emphasized that the guidelines should be non binding and voluntary. The need for transparency and smooth flow of information has also been underscored. The establishment of mechanisms, such as common reporting formats and timely reporting, public access to information and the importance of international cooperation and coordination in combating environmental crime were all recognized, and several ways to achieve results in this area were suggested.

62. The revised draft guidelines were reviewed by the Bureau of the preparatory session of the working group that met in Geneva in June 2000 to assist UNEP to prepare documentation for the first meeting of government experts scheduled for April 2001. To further facilitate the work of Governments in developing of the guidelines, the Executive Director convened an informal meeting of a small geographically balanced group of experts in Nairobi in November 2000.

63. Further consideration and development of draft guidelines will be undertaken by future meetings of the working group on compliance and enforcement of environmental conventions. This working group is to be composed of experts designated by Governments and observers from relevant intergovernmental and non-governmental organizations. The development of guidelines will be intensified during 2001, and, once developed, the draft guidelines will be presented to the Governing Council for its consideration and approval. The guidelines will not be legally binding but are intended to provide general guidance to countries in their efforts to improve compliance with the enforcement of multilateral environmental agreements and in preventing and combating environmental crime.

## V. ENVIRONMENTAL CONVENTIONS

### A. Promoting collaboration among multilateral environmental conventions

64. In accordance with decision 20/18B of 5 February 1999, UNEP has undertaken activities to strengthen its role in promoting collaboration among multilateral environmental conventions and in providing programme support to those conventions. UNEP has organized several meetings for strengthening interlinkages in the work of multilateral environmental agreements. The following meetings are especially important.

65. The second Global Meeting of Regional Seas Conventions and Action Plans was held by UNEP in The Hague from 5 to 8 July 1999. The meeting sought to channel UNEP programme support more effectively to the regional seas conventions and action plans, particularly in areas complementary to the UNEP work programme and to promote horizontal ties among regional seas conventions and action plans and with other global conventions and agreements. This meeting was attended by the heads of the secretariats of fourteen regional seas conventions and action plans. The secretariats of the following instruments were also represented: the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change, the United Nations Convention on the Law of the Sea the Global Programme of Action for the Protection of Marine Environment from Land-based Activities, the International Coral Reef Initiative and the Alliance of Small Island States. The report of the meeting is contained in document UNEP (DEC) /RS.2/10.

66. The major results of the meeting include:

- (a) A blueprint for UNEP for revitalization of the regional seas conventions and action plans;
- (b) A proposal for closer collaboration between the regional seas conventions and action plans and the Convention on Biological Diversity in implementation of the Convention's work programme on marine and coastal biodiversity, which was subsequently approved in decision V/3 of the Conference of the Parties to the Convention on Biological Diversity at its fifth meeting held in Nairobi from 15 to 26 May 2000;
- (c) A proposal for closer collaboration between the regional seas conventions and action plans and CITES, in consideration of the strategic plan of CITES and the issue of cooperation and synergy with other biodiversity-related conventions which was subsequently endorsed by the eleventh meeting of the Conference of the Parties to CITES held in Nairobi from 10 to 20 April 2000;
- (d) A programme for the integration of the regional seas conventions and action plans in the work of the Global International Water Assessment (GIWA);
- (e) An agreement between the Baltic Marine Environment Protection Commission and UNEP serving as the Secretariat of the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention), signed in Malmö, Sweden, on 30 May 2000.

67. UNEP convened, with the United Nations University, the Global Environment Information Centre and the United Nations University Institute of Advanced Studies, the International Conference on Synergies and Coordination between Multilateral Environmental Agreements in Tokyo from 14 to 16 July 1999.

68. UNEP also convened a consultative meeting on collaboration among multilateral environmental conventions in Bonn from 25 to 26 October 1999 to discuss issues of common concern at the scientific and technical levels and possible areas of collaboration among environmental conventions. This meeting was held in connection with the fifth session of the Conference of Parties to the United Nations Framework Convention on Climate Change and was attended by representatives of the subsidiary bodies on scientific and technical aspects. Also represented were the secretariats of the Convention on Biological Diversity, the Montreal Protocol on Substances that Deplete the Ozone Layer, the Convention on the Protection of the Marine Environment of the Baltic Sea Area, the Convention on Climate Change, the Convention to Combat Desertification (CCD), CITES and the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Convention on Wetlands). The meeting produced the following results:

(a) The development of a pilot project on streamlining national reporting of biodiversity-related conventions. At a follow-up meeting in Cambridge, United Kingdom, from 23 to 24 October 2000, guidelines and the format for the streamlining were agreed upon, which will help countries to establish efficient and effective national mechanisms for meeting their reporting requirements. The meeting was attended by representatives of the secretariats of the Convention on Biological Diversity (CBD), CITES, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on Wetlands, the Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention), the Convention for the Protection of the Mediterranean Sea Against Pollution (Barcelona Convention) and the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention). The latter two regional seas programmes have protocols on specially protected areas and wildlife. The meeting was also attended by the representatives of the Governments participating in the pilot phase and the European Environment Agency, which provides technical support;

(b) Initiation of an activity to develop a harmonized Customs code system for multilateral environmental agreements. While the preceding activity brings together sectorally grouped conventions, this activity draws together disparate conventions that are linked by shared operational concerns. With the collaboration of the World Customs Organization, UNEP has begun preparation, including a background paper on the subject, for a meeting to be held shortly after the next session of the UNEP Governing Council on the need to develop a harmonized Customs code system. Seven multilateral environmental agreements have expressed interest in collaborating in this initiative.

69. As follow-up to the meeting to assess the need for a second interlinkages assessment report, convened by UNEP and the World Bank in Bonn on 26 October 1999, UNEP, in partnership with several organizations, has initiated preparation of the Millennium Ecosystem Assessment. Designed to improve the management of the world's ecosystems, it is geared to responding to the needs of three ecosystem-related conventions, namely the Convention on Biological Diversity, the Ramsar Convention and the Convention to Combat Desertification. The United Nations Framework Convention on Climate Change secretariat participates in the partnership arrangement, given the potential worldwide impact of climate change on ecosystems. Key donors include the Global Environment Facility and the United Nations Foundation.

70. UNEP has planned the following meetings for 2001, among others, to promote collaboration and to build synergies among conventions: the eighth meeting on Collaboration of Environmental Conventions (first quarter), the second consultative meeting of the Subsidiary Scientific and Technical Bodies and Secretariats of Multilateral Environmental Agreements (mid year), and the fourth global meeting of Regional Seas Conventions and Action Plans (last quarter).

71. From 30 May to 2 June 2000, UNEP actively participated in the first meeting of the United Nations Open-ended Informal Consultative Process on Oceans and Law of the Sea, which met to improve coordination in addressing ocean-related issues. The strengthening of the regional seas conventions and action plans,

including linkages with global conventions and related international agreements, will be considered at a future meeting of the informal consultative process.

72. In 1999, UNEP launched a new publication entitled Synergies as a tool for disseminating information on collaboration among conventions and for highlighting its work in supporting multilateral environmental agreements. It has also become a platform for secretariats to present their views on various issues being addressed by their conventions. Published in English, French and Spanish, Synergies can be accessed through the new UNEP Web site on environmental conventions ([www.unep.ch/conventions](http://www.unep.ch/conventions)).

73. UNEP worked with the United Nations University and the Massachusetts Institute of Technology (MIT) to organize the expert meeting Global Accords: Focusing on Linkages between the Ozone and Climate Change Conventions, held at MIT from 2 to 3 November 2000.

74. UNEP convened the third Global Meeting of Regional Seas Conventions and Action Plans in Monaco from 6 to 11 November 2000, which provided UNEP with further guidance for strengthening the regional seas programme. Two key objectives of the meeting were to promote horizontal ties among regional seas conventions and action plans and to strengthen the linkages between the regional seas conventions and action plans and other global conventions and agreements. Whereas the second Global Meeting focused on linkages with biodiversity-related conventions and international agreements, the third Global Meeting expanded the focus to include the chemicals-related conventions. The meeting was attended by a total of 26 secretariats, including the heads of the secretariats of the seventeen regional seas conventions and action plans, the heads of representatively the secretariats of the Basel Convention, the Convention on Biological Diversity, the Convention on International Trade in Engangered Species of Wild Fauna and Flora (CITES). The interim secretariat of the Rotterdam Convention on the Prior and Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was also represented. Furthermore, representatives of the secretariats of the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the International Maritime Organization (marine pollution conventions) were present.

75. UNEP organized a series of meetings addressing trade issues under multilateral environmental agreements. Meetings with selected environmental conventions were held in Geneva on 19 June and 4 July 2000 to discuss potential synergies and mutual supportiveness of trade and environment rules and institutions. These meetings contributed to the consolidation of the positions of multilateral environmental agreements in their presentations to the Committee on Trade and Environment of the World Trade Organization (WTO) on 5 July 2000. As a result, a UNEP/WTO meeting was held in Geneva on 23 October 2000 to enhance synergies and mutual supportiveness of the secretariats of multilateral environmental agreements and the World Trade Organization secretariat. The meeting was addressed by the Executive Director of UNEP and the Director-General of WTO.

76. Throughout the present biennium, UNEP has continued to support the Tropical Forest Canopy Programme (TFCP), which was established in 1990 by UNEP and the Smithsonian Tropical Research Institute to promote research that would help address uncertainties in scientific knowledge of relevance to the Convention on Biological Diversity, the United Nations Framework Convention on Climate Change and the Montreal Protocol. Since the twentieth session of the UNEP Governing Council, the programme has generated more than 50 scientific papers on canopy ecology, climate change, biodiversity and canopy-atmosphere gas exchange. The publications are based exclusively on work using UNEP-supported cranes. The TFCP has initiated a global network of forest canopy cranes in Australia, Japan, Panama, Switzerland, the United States of America and Venezuela to facilitate the production of research protocols and the exchange of scientists and students.

#### B. Programme support to multilateral environmental conventions

77. Since the twentieth session of the Governing Council, UNEP has actively supported negotiation of the following new legal instruments, including the following:

(a) The Protocol Concerning Land-Based Sources and Activities, adopted in Oranjestad, Aruba, on 6 October 1999. This is a protocol to the Convention for the Protection and Development of the Marine Environment in the Wider Caribbean (Cartagena Convention);

(b) The Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal, adopted in Basel at the fifth meeting of the Conference of the Parties on 10 December 1999;

(c) The Cartagena Protocol on Biosafety to the Convention on Biological Diversity, adopted in Montreal on 29 January 2000.

78. UNEP currently supports preparation of a Caspian sea environment convention and a convention for the protection and sustainable development of the marine and coastal areas of the Northeast Pacific. It is expected that this convention will be approved at a conference of plenipotentiaries by the third quarter of 2001 and. UNEP also supports revision of the Protocol Concerning Protected Areas and Wild Fauna and Flora to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention). UNEP has organized sessions of an intergovernmental negotiating committee for the preparation of a globally binding instrument on persistent organic pollutants. At its fifth session in Johannesburg from 4 to 10 December 2000, the committee agreed on the text for a convention that will be formally adopted by a conference of plenipotentiaries in Stockholm in May 2001.

79. UNEP, jointly with FAO, provides the interim secretariat of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The seventh session of the intergovernmental negotiating committee was convened in Geneva from 30 October to 3 November 2000 to decided on matters related to the interim prior informed consent procedure and to prepare for the first meeting of the conference of the parties.

80. UNEP has provided substantial support to intergovernmental meetings of multilateral environmental agreements for which UNEP provides the respective secretariats. They include the following:

(a) The eleventh ordinary meeting of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its Protocols (Barcelona Convention) (Malta, 27 to 30 October 1999);

(b) The second meeting of the Conference of Parties to the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region (Nairobi Convention) (Mauritius, 2 to 4 November 1999);

(c) The sixth meeting of the Conference of the Parties to the Convention on Migratory Species (Cape Town, 10 to 16 November 1999);

(d) The fifth meeting of the Conference of the Parties to the Basel Convention on Transboundary Movement of Hazardous Wastes (Basel, 6 to 10 December 1999);

(e) The resumed first session of the extraordinary Conference of the Parties to the Convention on Biological Diversity on the Biosafety Protocol (Montreal, 24 to 28 January 2000);

(f) The ninth intergovernmental meeting on the Action Plan for the Caribbean Environment Programme and the sixth meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention) (Kingston, 14 to 18 February 2000);

(g) The fifth Conference of the Parties to the Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (Abidjan Convention) (Accra, 20 to 24 March 2000);

(h) The fifth Intergovernmental Meeting of the Northwest Pacific Action Plan (NOWPAP) (Inch'on, Republic of Korea, 29 to 30 March 2000);

(i) The eleventh meeting of the Conference of Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Nairobi, 10 to 20 April 2000);

(j) The fifth Conference of Parties to the Convention on Biological Diversity (Nairobi, 15 to 26 May 2000);

(k) The fifteenth meeting (special session) of the Coordinating Body for the Seas of East Asia (COBSEA) (Pattaya, Thailand, 11 to 12 September 2000);

(l) The seventh session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for the Application of the Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention) (Geneva, 30 October to 3 November 2000);

(m) The sixth intergovernmental meeting of the Northwest Pacific Action Plan (Tokyo, 5 to 6 December 2000);

(n) The first meeting of the Intergovernmental Committee for the Cartagena Protocol (Montpellier, France, 11 to 15 December 2000);

(o) The Twelfth Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (Ouagadougou, 11 to 14 December 2000).

81. UNEP provides substantial support in the area of public awareness and information, including the provision of media services, to environmental conventions, notably the Convention on Climate Change, the Montreal Protocol, United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, Convention on Biological Diversity, CITES, CMS, the Basel Convention, the Rotterdam Convention and the regional seas conventions and action plans. Important activities since the twentieth session of the Governing Council include, among others:

(a) The Basel Convention Web site ([www.basel.int](http://www.basel.int)) was launched in October 1999. It provides official documents and other information about the Convention and its protocol;

(b) The regional seas Web site ([www.unep.ch/seas](http://www.unep.ch/seas)) was launched in April 2000. It provides information on the implementation of the world's 17 regional seas conventions and action plans and provides direct links to the specific Web sites set up under the respective regional seas programmes. This Web site highlights the work undertaken by UNEP and partner agencies such as Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (United Nations Educational Scientific and Cultural Organization (UNESCO), IMO, Food and Agriculture Organization of the United Nations (FAO) and the International Atomic Energy Agency (IAEA) in supporting these regional agreements;

(c) The environmental conventions Web site ([www.unep.ch/conventions](http://www.unep.ch/conventions)) was launched in July 2000. It provides information on all major global environmental conventions as well as information and links to the regional seas conventions and action plans;

(d) The preparation of press kits for the resumed first session of the Extraordinary Conference of the Parties to the Convention on Biological Diversity on the Biosafety Protocol (Montreal, 24-28 January 2000), the eleventh meeting of the Conference of the Parties to CITES (Nairobi, 10-20 April 2000), the fifth meeting of the Conference of the Parties to Convention on Biological Diversity (Nairobi, 15-26 May 2000), the sixth session of the Conference of the Parties to the Framework Convention on Climate Change (The Hague, 13-24 November 2000) and the twelfth meeting of the Parties to the Montreal Protocol (Ouagadougou, 11-14 December 2000);

(e) Publication of the beginners guide Sustaining Life on Earth: How the Convention on Biological Diversity promotes nature and human well-being (April 2000), which was prepared by the Convention on Biological Diversity secretariat and the World Conservation Union (IUCN);

(f) Update and reprinting in additional languages of the Beginners Guide to the Climate Change Convention and its Kyoto Protocol, plus the climate change information kit;

(g) Publication of the monograph Regional Seas: A Survival Strategy for Our Oceans and Coasts (October 2000).

82. UNEP, through the UNEP/GEF Pilot Biosafety Enabling Activity Project, has been supporting developing countries and countries with economies in transition to prepare effective national biosafety frameworks in the context of the Biosafety Protocol, consistent with article 8 (g) of the Convention on Biological Diversity. The project prepared national biosafety frameworks, using the UNEP International Technical Guidelines for Safety in Biotechnology as a guide. Eighteen countries were supported (Bolivia, Bulgaria, Cameroon, China, Cuba, Egypt, Hungary, Kenya, Malawi, Mauritania, Mauritius, Namibia, Pakistan, Poland, Russia, Tunisia, Uganda and Zambia). Under the global-level component, eight regional workshops on biosafety were organized in the following regions: Africa (Nairobi), Asia and the Pacific (New Delhi), Central and Eastern Europe (Bled, Slovenia) and Latin America and the Caribbean (Havana). The workshops covered capacity-building requirements to enhance safety in biotechnology in respect of issues related to risk assessment and risk management of living modified organisms (LMOs), including their environmental impact assessment, for enhancement of biosafety. They also addressed issues related to transboundary transfer of LMOs, including appropriate mechanisms and modalities for supply and exchange of information. During the period of the project, two steering committee meetings were held, as well as a wrap-up consultative meeting attended by the 18 participating countries to review the project and chart the way forward. The consultative meeting recommended expansion of the project to additional countries and support of the implementation of the national biosafety frameworks already under the pilot project. UNEP has received requests from over 60 countries to extend the project. At its November 2000 meeting, the GEF Council approved US\$ 26.5 million for phase two of the project, which will benefit up to 100 countries.

83. At the fourth session of the Conference of the Parties to the Convention on Biological Diversity held in Bratislava in 1998, the Contracting Parties in their decision IV/9 on the implementation of Article 8(j) and related provisions, invited “international agencies to submit case studies and other relevant information to the Executive Secretary, on the influence of international instruments, intellectual property rights, current laws and policies on knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity.” Furthermore, the contracting parties invited case studies and information on “matters of prior informed consent, fair and equitable sharing of benefits and *in situ* conservation in lands and territories used by indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity.” In response to this decision, UNEP and WIPO entered into an agreement to undertake a study of the role of intellectual property rights in sharing the benefit of biological resources and associated traditional knowledge. The case studies were submitted at the fifth session of the Conference of the Parties to the Convention on Biological Diversity, in Nairobi in May 2000. The experiences included in the case studies may provide lessons as to how the effective protection of intellectual property rights can support the implementation of the Convention with respect to the sharing of benefits arising from the use of biological diversity and associated traditional knowledge. The larger study will be concluded early next year and will be published jointly by UNEP and WIPO. UNEP and WIPO have continued to discuss future joint collaborative work in support of the Convention on Biological Diversity. The WIPO General Assembly has approved a proposal to establish a WIPO intergovernmental committee on intellectual property and genetic resources, traditional knowledge and folklore. WIPO and UNEP have agreed to work together on issues such as access to genetic resources and benefit-sharing and protection of traditional knowledge, in support of the work of the new WIPO committee and the Convention on Biological Diversity.

84. As part of its support to the Convention on Biological Diversity, UNEP participates in the work of the CBD/UNESCO Consultative Group of Experts on Biological Education and Public Awareness. Established

pursuant to decision V/17, paragraph 2, of the fifth Conference of the Parties of the Convention on Biological Diversity, the group held its first meeting in Paris from 11 to 13 July 2000 and considered a number of priority activities for the implementation of the Global Initiative on Biological Diversity Education and Public Awareness. A second meeting of the consultative group of experts is scheduled for 19-21 November 2000 in Bergen, Norway, at which short and long-term strategic priority projects will be identified and discussed and a suggested role assigned to UNEP, UNESCO, UNITAR, the World Bank, WWF and IUCN, among others, for implementation under the proposed global initiative. The group's recommendations will be presented to the sixth meeting of the Conference of the Parties of the Convention on Biological Diversity.

85. UNEP actively supports the work of the Intergovernmental Panel on Climate Change (IPCC) and the atmosphere-related conventions (see document UNEP/GC.21/2). In support of article 6 of the Framework Convention on Climate Change on education, training and public awareness, UNEP has prepared and produced the vital climate graphics which were launched at the sixth session of the Conference of the Parties to the Framework Convention on Climate Change in November 2000.

86. Closely in line with its work on climate change, UNEP, with \$650,000 in funding from the United Nations Fund for International Partnerships (Turner Foundation), is supporting a project aimed at improving the early warning and preparedness for (El Niño Southern Oscillation the ENSO) events, a seasonal change in weather conditions resulting in drought, floods or severe storm events that are often of great severity and unseasonal. Latin America, East Asia and Africa were severely affected by the latest El Niño phenomenon.

87. As follow-up to the second Global Meeting of Regional Seas Conventions and Action Plans (The Hague, 5 to 8 July 1999), UNEP provided the secretariats of several regional seas conventions and action plans with strategic programme support in the development of work plans in areas such as the Global Programme of Action (GPA), the International Coral Reef Initiative (ICRI) and the Integrated Coastal Area Management (ICAM), related to the priorities of UNEP's programme of work. Those instruments include the Abidjan Convention (West and Central African Region), the Nairobi Convention (East Africa), the Barcelona Convention (the Mediterranean), the Jeddah Convention (the Red Sea and the Gulf of Aden), the South Asian Cooperative Environment Programme, the East Asian Seas Action Plan, the Northwest Pacific Action Plan, the Lima Convention (Southeast Pacific) and the Cartagena Convention (Wider Caribbean). Details of this programme support are in document UNEP (DEC) /RS.2/10.

88. In close cooperation with relevant offices of UNEP, the regional seas conventions and action plans are actively participating in the implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Sources of Pollution. Regional projects, some with funding from the Global Environment Facility, are being developed or implemented in the Caribbean, the Mediterranean, the Northwest Pacific, the Southeast Pacific and the Northeast Pacific.

89. Through the regional seas conventions and action plans, UNEP, with the financial support of the United Nations Foundation, has implemented phase one of the International Coral Reef Action Network (ICRAN) as a new operational unit of the International Coral Reef Initiative (ICRI).

90. In pursuance of Governing Council decisions 19/14 E and 20/20, further consultations were undertaken with concerned Governments on the drafts of the convention and action plan for the protection and sustainable development of the Northeast Pacific. Moreover, internal consultations on the draft convention were undertaken with legal experts within UNEP. The revised drafts of the convention and action plan were completed by UNEP in April 2000.

91. With the generous support of the Government of Panama, through the Maritime Authority of Panama, and the Central American Commission on Maritime Transportation (COCATRAM), UNEP convened the first meeting of the High-level, Government-Designated Experts of the Proposed Northeast Pacific Regional Seas Programme in Panama City from 5 to 8 September 2000. The meeting was attended by representatives of the Governments of Colombia, El Salvador, Honduras, Mexico, Nicaragua and Panama. International organizations that participated included the International Maritime Organization (IMO), the Marine Environment Laboratory (MEL) of the International Atomic Energy Agency (IAEA), the Commission for

Environmental Cooperation (CEC) of the North American Free Trade Association (NAFTA) and COCATRAM. Active supportive roles were played by the Regional Coordination Unit of the Cartagena Convention and the Coordination Office of the Global Programme of Action.

92. The meeting negotiated a complete revision of the draft convention for the protection and sustainable development of the marine and coastal area of the Northeast Pacific. The negotiations greatly strengthened the sustainable development focus of the draft convention, addressing issues such as integrated coastal management, including land-based sources of pollution, food security, environmental security, the use of economic instruments for sustainable management and the role of civil society, including private industry and local authorities. A major outcome of the meeting was the adoption of a framework resolution on land-based sources of pollution. The resolution, which is presented in document UNEP/GC.21/INF/11 marks the beginning of the preparatory process of the Northeast Pacific region in the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, including the first the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities intergovernmental review.

93. The meeting noted the similarities between the Northeast Pacific region and the wider Caribbean and proposed close collaboration and synergies between the two neighboring regional seas programmes. In what is a unique situation in the world, many of the same governments are involved in both regional seas programmes. It was felt that the work of the Northeast Pacific region on land-based sources of pollution should be closely linked to the work being undertaken in this area under the Cartagena Convention for the Wider Caribbean, specifically through its Aruba Protocol.

94. UNEP was requested to encourage the United States of America and Canada to consider participation in this new regional seas programme. The meeting also asked UNEP to invite multilateral development institutions, including the World Bank (IBRD), the and Inter-American Development Bank (IDB) the Global Environment Facility, to future meetings.

### C. Status of environmental conventions

95. The present report is submitted in response to Governing Council decision 24 (III) of 30 April 1975, which requested the Executive Director to inform the Council at each session of the status of new and existing conventions in the field of the environment, and to General Assembly resolution 3436 (XXX) of 9 December 1975, which requested the Governing Council to keep the General Assembly informed of any new conventions in that field and of the status of existing conventions. The present report covers the period from 1 June 1999 to 10 December 2000. It is based on the information received by the UNEP secretariat from the relevant depositary Governments and organizations. Additional information on the subject will be found in document UNEP/GC.21/INF/16.

#### 1. Conventions and protocols that have entered into force during the reporting period

96. The secretariat has been informed that the following instruments entered into force during the reporting period:

(a) The Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted by the ninth meeting of the Parties in Montreal on 17 September 1997, entered into force on 10 November 1999;

(b) The Convention on the Transboundary Effects of Industrial Accidents, adopted in Helsinki on 17 March 1992, entered into force on 19 April 2000.

#### 2. New conventions and protocols concluded during the reporting period

97. The secretariat has been informed that the following instruments had been concluded during the reporting period:

(a) The Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, London, 17 June 1999;

(b) The Protocol concerning Land-based Sources and Activities, Oranjestad, Aruba, 6 October 1999. This is a Protocol to the Convention for the Protection and Development of the Marine Environment in the Wider Caribbean;

(c) The Protocol to the 1979 Convention on Long-range Transboundary Air Pollution to Abate Acidification, Eutrophication and Ground-level Ozone, Gothenburg, 30 November 1999;

(d) The Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Beijing, 3 December 1999;

(e) The Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal, Basel, 10 December 1999;

(f) The Cartagena Protocol on Biosafety to the Convention on Biological Diversity, Montreal, 29 January 2000;

(g) The European Agreement Concerning the International Carriage of Dangerous Goods by Inland Waters, Geneva, 25 May 2000.

98. In addition, on 10 December 2000, the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants, at its fifth session convened by UNEP in Johannesburg, concluded the negotiation of the text of the convention for implementing international action on certain persistent organic pollutants. The convention will be adopted by a conference of plenipotentiaries to be convened by UNEP in Stockholm in May 2001.

### 3. Conventions and protocols that have not entered into force

99. The following existing conventions and protocols have not entered into force yet (as of 10 December 2000) and require ratification or accession of the Governments and organizations that are eligible to become parties to those instruments in order to bring the respective instruments in force:

(a) The Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, adopted in Geneva on 22 September 1995;

(b) The Convention on the Law of the Non-Navigational Uses of International Watercourses, adopted in New York on 21 May 1997;

(c) The Kyoto Protocol to the United Nations Framework Convention on Climate Change, adopted in Kyoto on 11 December 1997;

(d) The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, adopted in Aarhus, Denmark, on 25 June 1998;

(e) The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, adopted in Rotterdam on 10 September 1998;

(f) The Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, adopted in London on 17 June 1999;

(g) The Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted in Beijing on 3 December 1999;

(h) The Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal, adopted in Basel on 10 December 1999;

(i) The Cartagena Protocol on Biosafety to the Convention on Biological Diversity, adopted in Montreal on 29 January 2000.

#### 4. Changes in the status of the existing conventions

100. Changes to the status of the existing conventions and protocols in the field of the environment are described in document UNEP/GC.21/INF/16.

## VI. THE GLOBAL ENVIRONMENT FACILITY

### A. UNEP's participation in the work of the Global Environment Facility (GEF) 1999-2000

101. Paragraph 1(d) of the Nairobi Declaration on the Role and Mandate of UNEP, decisions 19/12 of 7 February 1997 and 20/7 of February 1999, call for review of UNEP's use of the Global Environment Facility over the past biennium.

102. UNEP's work in the GEF over the period 1999-2000 encompassed project development and implementation, support the scientific and technical advisory panel of the GEF, implementation of the activities under the strategic partnerships with the GEF secretariat and outreach activities. In addition, UNEP has contributed to GEF corporate activities, such as the GEF's policy and overall strategy development, programme planning in focal areas, monitoring and evaluation and contributions to budget and financial issues. The 1999-2000 activities brought the size of the overall UNEP Global Environment Facility-funded project portfolio to a total of US\$ 286 million, of which US\$ 119 million was approved for 1999-2000, a 42 per cent increase since the end of 1998.

103. In the period 1999-2000, UNEP's portfolio of GEF projects grew steadily. A number of strategic projects were approved by GEF to assist countries in identifying environmental issues that require priority interventions: the regionally based Assessment of Persistent Toxic Substances, the Millennium Ecosystem Assessment, a facility for developing solar and wind resource assessments at pilot sites worldwide and a preparatory phase for a global drylands land degradation assessment.

104. Strategic projects with the private sector were also undertaken to promote private-sector involvement in global environmental problem-solving. UNEP facilitated development of a technology transfer clearing-house mechanism to assist in redirecting investments to cleaner technologies. It also developed projects to establish monitoring and targeted-energy service companies (ESCOs), companies that will be able to generate their own profits by providing targeted advice on energy efficiency.

105. Following the signature of the Biosafety Protocol, UNEP launched a second phase to assist 100 countries to develop their national biosafety frameworks. This project was approved by GEF in the latter part of 2000. Another major achievement of UNEP is its work on climate change vulnerability and assessment. UNEP, with IPCC, has approved a project to assist requesting countries assess their vulnerability to climate change with the goal of identifying measures for adaptation. During the period, UNEP consolidated a portfolio of seven activities related to persistent organic pollutants (POPs), ranging from strategic activities such as the regional assessment and assessment of national management needs to more focused activities dealing with DDT phase-out and reduction of pesticide use in intensive agriculture. It is anticipated that this area of focus will grow in the immediate future, since discussions are currently underway regarding the development of a new operational programme for GEF directed towards POPs. The period also saw project development on flyway approaches to ecosystem conservation of habitats required by migratory species. This support to the implementation of country priorities under the Convention on Migratory Species will lead in the next biennium to full projects that identify the flyways required by migratory species and carry out demonstration activities on conservation of required habitats.

106. Key activities approved during the previous biennium were implemented in 1999-2000, including the Global International Waters Assessment and the development of the prototype of the Millennium Ecosystem Assessment. There was implementation of the activities under the UNEP-GEF Strategic Partnership, a US\$ 2 million grant for activities relating to environmental analyses, outreach to the scientific community and global environmental knowledge and data management. In 2000, there was also increased emphasis on actions in Africa in support of the Special Initiative for Africa on Land and Water. This included increased intervention on land degradation, as this is a major concern for African countries, and an increased focus on management of transboundary African waterbodies and watersheds. Finally, the Scientific and Technical Advisory Panel (STAP), for which UNEP provides secretariat support, provided strategic support for "new" areas of intervention, providing scientific and technical advice on issues ranging from biosafety and sustainable use to power sector reform.

107. Thus between UNEP's project interventions, the activities under UNEP's Strategic Partnership with the GEF secretariat and STAP, UNEP fulfilled its strategic role within the GEF during the period 1999-2000.

#### VII. SUGGESTED ACTION BY THE GOVERNING COUNCIL

108. The Governing Council may wish to adopt a decision along the following lines:

The Programme for the Development and Periodic Review of Environmental Law for the  
First Decade of the Twenty-first Century

The Governing Council,

Recalling its decision 20/3 of 3 February 1999;

Recalling the mandate of the United Nations Environment Programme in the field of the environment as reflected in the Nairobi Declaration, the Malmö Ministerial Declaration and the Programme for the Further Implementation of Agenda 21 adopted by the General Assembly at its nineteenth special session in resolution S-19/2;

Having considered the outcome of the Meeting of Senior Government Officials Expert in Environmental Law to Prepare a Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century, held in Nairobi from 23 to 27 October 2000;

1. Takes note with appreciation of the work of the United Nations Environment Programme, as described in document UNEP/Env.Law/4/3, in implementing the Programme for the Development and Periodic Review of Environmental Law for the 1990s;
2. Adopts the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century, as set out in annex I to the report of the Meeting of Senior Government Officials Expert in Environmental Law to Prepare a Programme of Work for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century (UNEP/Env.Law/4/4), as the broad strategy for the activities of the United Nations Environment Programme in the field of environmental law for the first decade of the twenty-first century;
3. Requests the Executive Director to implement the programme, within available resources, through the work programmes of the United Nations Environment Programme in close collaboration with States, conferences of the parties and secretariats of multilateral environmental agreements, other international organizations, and private persons;
4. Decides to review the implementation of the Programme no later than at its regular session in 2005.

111. The Governing Council may wish to adopt a decision along the following lines:

Policy and advisory services in key areas of institution-building

The Governing Council;

Recalling its decision 20/6 of 5 February 1999,

Having considered the report of the Executive Director on policy and advisory services of the United Nations Environment Programme in key areas of institution-building (UNEP/GC.21/4 and INF/15;

1. Takes note with appreciation the action taken by the Executive Director to provide policy and advisory services in key areas of institution-building in support in particular for developing countries and countries with economies in transition;
2. Expresses its gratitude to the donors for their support and contribution to the activities on policy and advisory services in key areas of institution-building;
3. Requests the Executive Director to further strengthen its activities in providing technical, legal and policy advice to Governments and regional and sub-regional institutions dealing with environmental matters;
4. Requests the Executive Director to continue to undertake appropriate actions designed to improve public access to information on environmental matters and environmental policy instruments and to promote the development of relevant skills and capacity of the key stakeholders and partners;
5. Urges Governments to take steps to enhance access to environmental information held by public authorities and to encourage participation by all relevant sectors of society in the decision-making process in environmental matters, in accordance with relevant legislation or arrangements, bearing in mind the crucial role which it plays in institution-building for environmental protection and sustainable development;
6. Further urges Governments to take measures to establish, where appropriate, at the national and regional levels, judicial or administrative procedures for legal redress and remedy for actions effecting the environment that may be unlawful or infringe on rights under the law.

112. The Governing Council may wish to adopt a decision along the following lines:

Preparation of the draft guidelines on compliance with international environmental agreements and on effective national environmental enforcement and international cooperation and coordination in combating environmental crime

The Governing Council,

Recalling the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme as well as the Malmö Ministerial Declaration;

Deeply concerned that, despite many successful international and regional environmental agreements and the some progress has been achieved, environmental damage caused by illegal traffic in endangered species and dangerous and harmful substances and products is growing;

Reaffirming the importance of expeditious implementation of the political and legal commitments made by the international community;

Convinced that urgent and renewed efforts are required to be undertaken by all countries and relevant organizations in combating environmental crime and other violations of environmental obligations;

1. Requests the Executive Director to continue the preparation of the draft guidelines on compliance with international environmental agreements, effective national environmental enforcement and international

cooperation and coordination in combating environmental crime in support of the development of compliance regimes within the framework of international agreements, in consultation with Governments and relevant international organizations;

2. Requests the Executive Director to submit the draft guidelines to the Governing Council at its twenty-second session.

113. The Governing Council may wish to adopt a decision along the following lines:

Status of international conventions and protocols in the field of the environment

The Governing Council,

Having considered the report of the Executive Director on international conventions and protocols in the field of the environment (UNEP/GC.21/4 and INF/16;

Recalling its decision 24 (III) of 30 April 1975 and General Assembly resolution 3436 (XXX) of 9 December 1975;

1. Takes note of the report of the Executive Director;
2. Authorizes the Executive Director to transmit the report, on its behalf, together with any comments made by delegations thereon as well as further information which the secretariat of the United Nations Environment Programme might receive by 31 May 2001, to the General Assembly at its fifty-sixth session, in accordance with resolution 3436 (XXX);
3. Calls on States that have not yet signed, ratified or acceded to conventions and protocols in the field of the environment to do so;
4. Calls also on States and organizations that are in a position to do so to provide the secretariat of the United Nations Environment Programme with information on new conventions and protocols in the field of the environment as well as information on any changes to the status of the existing conventions and protocols in the field of the environment.

114. The Governing Council may wish to adopt a decision along the following lines:

Establishment of a regional seas programme for the Northeast Pacific region

The Governing Council,

Recalling its decisions 19/14E, in which the Executive Director was requested to assist the Governments of the region in negotiating a regional agreement for the development and implementation of a plan of action for the protection of their marine and coastal environment;

Also recalling its decision 20/20, in which it endorsed the actions taken in facilitating the establishment of the proposed regional seas programme;

Bearing in mind that the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities calls on States to pursue more active participation in the negotiating processes for regional instruments, including accession or ratification, as appropriate, of regional seas agreements;

1. Endorses the action taken thus far in facilitating the establishment of a regional seas programme for the Northeast Pacific region, including the results of the First Meeting of High-Level, Government-Designated Experts of the Proposed Northeast Pacific Regional Seas Programme held in Panama City from 5 to 8 September 2000;

2. Notes with appreciation progress achieved at the Panama meeting in the negotiation of a convention for the protection and sustainable development of the Northeast Pacific;
3. Invites the Governments of Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua and Panama to continue with their efforts to negotiate and adopt a Convention and Action Plan for the Protection and Sustainable Development of the Northeast Pacific;
4. Also invites other neighbouring countries of the Northeast Pacific to consider participating in this new regional seas programme;
5. Notes with satisfaction the decision of the Governments at the Panama meeting to commence a preparatory process in the region that will contribute to the 2001 Intergovernmental Review of the Global Programme of Action for the Protection of the Marine Environment from Land-based Sources of Pollution;
6. Welcomes the offer of the Central American Commission on Maritime Transportation to host, with the support of the Government of Nicaragua, the Second Meeting of High-level, Government-Designated Experts of the Proposed Northeast Pacific Regional Sea Programme in Managua in the early part of 2001;
7. Requests the Executive Director to invite multilateral funding institutions, including the World Bank, the Global Environment Facility and the Inter-American Development Bank to future meetings of the Northeast Pacific regional seas programme;
8. Requests the Executive Director, within the context of the regional seas programme of the United Nations Environment Programme, to assist the Governments of the Northeast Pacific in furthering the negotiations of a regional agreement for the protection and sustainable development of the Northeast Pacific.

115. The Governing Council may wish to adopt a decision along the following lines:

Participation of the United Nations Environment Programme in the  
work of the Global Environment Facility

The Governing Council,

Having considered the report of the Executive Director on the participation of the United Nations Environment Programme in the work of the Global Environment Facility (GC21/4 and INF/3);

1. Welcomes the significant progress made by the Executive Director in strengthening the role of the United Nations Environment Programme in the Global Environment Facility as evidenced by the unprecedented growth of its portfolio, the large number of participating countries as well as the quality and strategic focus of its activities;
2. Welcomes also the progress achieved in the implementation of the UNEP/GEF Action Plan on Complementarity between the activities undertaken by the United Nations Environment Programme under the Global Environment Facility and its programme of work adopted by at its twentieth meeting (GC.20/7) and endorsed by the thirteenth meeting of the Council of the Global Environment Facility, held in Washington D.C. from 5 to 7 May 1999, which expressed its appreciation for the quality of the United Nations Environment Programme document and commended United Nations Environment Programme for the comprehensive process of consultations that it had followed in preparing the report;
3. Further welcomes the progress achieved in the implementation of the United Nations Environment Programme/Global Environment Facility Strategic Partnership and in particular the activities related to the clearing-house mechanism for the transfer of environmentally sound technologies and stresses the importance of its prompt establishment;

4. Notes with appreciation the decision adopted by the African Ministerial Conference on the Environment held in Dakar from 19 to 21 October 2000 expressing its gratitude to the UNEP/GEF Coordination Office for the increasing attention being accorded to the priorities of the region and in particular on issues related to water and desertification;

5. Reiterates the importance attached to the tripartite agreement between United Nations Environment Programme, the United Nations Development Programme and the World Bank, which constitutes the foundation of the Global Environment Facility as well as the need to enhance inter-agency collaboration;

6. Welcomes the expanded participation of regional development banks as executing agencies of the GEF and in particular, the measures taken by the Executive Director in promoting such collaboration in accordance with the mandate of the United Nations Environment Programme in the Global Environment Facility;

7. Further welcomes the steps taken by donors for a substantial and timely replenishment for the third phase of the Global Environment Facility as well as the measures taken by the Executive Director for the third reconstitution of the Scientific and Technical Advisory Panel of the Global Environment Facility;

8. Requests the Executive Director to keep governments informed on further progress achieved in enhancing the role and mandate of the United Nations Environment Programme in the Global Environment Facility.

-----