



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



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**Twenty-fifth session of the Governing Council/  
Global Ministerial Environment Forum**  
Nairobi, 16–20 February 2009

**Proceedings of the Governing Council/Global Ministerial  
Environment Forum at its twenty-fifth session**

**Introduction**

1. The twenty-fifth session of the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum was held at UNEP headquarters, Nairobi, from 16 to 20 February 2009.

**I. Opening of the session (agenda item 1)**

2. The session was opened at 10.10 a.m. on 16 February 2009 by the master of ceremonies. Prior to the delivery of opening statements, a Kenyan acrobatic troupe gave a performance, which was followed by a screening of a video entitled “Towards a global green new deal”, to inform participants of the current aims and objectives of UNEP.

3. Opening statements were then delivered by Mr. Roberto Dobles Mora, outgoing President of the Council/Forum; Ms. Angela Cropper, Deputy Executive Director of UNEP, on behalf of Mr. Ban Ki-moon, Secretary-General of the United Nations; Ms. Inga Bjork-Klevby, Deputy Executive Director of the United Nations Human Settlements Programme (UN-Habitat) on behalf of Ms. Anna Tibaijuka, Executive Director of UN-Habitat and Director-General of the United Nations Office at Nairobi; Mr. Achim Steiner, Executive Director of UNEP; and Mr. Mwai Kibaki, President of Kenya.

4. Mr. Dobles Mora expressed appreciation to the Executive Director and the secretariat for their work to demonstrate that reversing the alarming degradation of the environment required passion and concerted efforts. The world was facing economic and environmental challenges on an unprecedented scale and was looking to UNEP for guidance and direction. Recalling that his term of office had come to an end, he looked back at the events that had marked his tenure, such as the significant decisions adopted by UNEP, for example that on the medium-term strategy for the period 2010–2013, and the progress made in such fields as ecosystems management, South-South cooperation and the implementation of the Bali Strategic Plan for Technology Support and Capacity-building.

5. He stressed the role of the ministerial consultations as a platform for high-level debate and called for more use to be made of the President’s summary to send a message to the world. Welcoming the commitment and cooperation shown over the past two years, he emphasized the common agreement between all participants that the Governing Council would provide the required leadership on environmental issues to ensure the sustainability of the earth. In that regard, he wished participants fruitful and visionary discussions.

6. In his statement, the Secretary-General referred to the challenges facing the world, such as the financial crisis and soaring food prices, and the Governing Council, such as mercury. He referred to the need to promote the green economy and in so doing, to tackle climate change and reenergize the economy. The full text of the Secretary-General's statement may be found in annex IV to the present proceedings.

7. The Deputy Executive Director of UN-Habitat set out the role of cities, noting that, while they were the driving force of global trade, they were also generating the bulk of waste and experiencing trends in social deprivation and exclusion. Some 1 billion people were currently living in slums and informal settlements, with that figure set to rise to 2 billion by 2030. Reversing those trends required sustainable urbanization, a concept defined as a pragmatic approach to pursuing growth with due regard for ecology and wealth creation with equity.

8. The current meeting was taking place in the midst of a financial and economic crisis, but that crisis offered the opportunity to turn cities and urban centres into the mainspring of a green economy and overcome the prevailing paradigms by applying the principles of ecological sustainability in efforts to attain the Millennium Development Goals. She went on to adumbrate the problems facing cities and towns as a result of climate change and warned of the increasing numbers of environmental refugees.

9. In conclusion, she said that sustainable urbanization had become a key determinant in achieving sustainable development and stressed that UN-Habitat was strengthening its cooperation with UNEP, as evidenced by its new framework for enhanced and strategic cooperation in urban environment management, which cut across such areas as improving solid waste management and promoting urban biodiversity and ecosystems.

10. The Executive Director, setting out the problems currently afflicting the global economy, said that the message to be taken from the current meeting should be that crises offered opportunities. He stressed that the assembled ministers would see their role becoming ever more important in the future, as the answers to the economic crisis would be answered through the environment.

11. The challenge to the current meeting was, he said, the development of a new framework and discourse – the green economy. A new wave of thinking was spreading across the globe in which consideration was being given to environmental imperatives to act in the context of the economic crisis. The green economy and the Green New Deal did not signify a parallel economy, but rather sets of principles, opportunities and choices that could be embraced in varying ways by each country.

12. Recent information from the Intergovernmental Panel on Climate Change suggested that the environmental situation was worse than had been previously predicted. The current meeting was, therefore, a forum to discuss such issues and act as a source of hope, inspiration and guidance for the world at large. In that regard, he wished participants successful deliberations.

13. Mr. Kibaki, declaring the meeting officially open, said that the challenges facing the global community were legion and included environmental degradation, increasing pollution, falling agricultural production and social acrasy. There was therefore a need to tackle environmental issues seriously to enhance and safeguard the environment for present and future generations, something that no one country could do alone.

14. Kenya, just as many other African countries, faced formidable challenges as a result of the conflicting demands of economic growth and development on the one hand and environmental sustainability on the other. For that reason, the publication *Kenya: Atlas of our Changing Environment* had been produced in conjunction with UNEP to be used as a tool in national development planning processes. While efforts to integrate Africa into the global economy were welcome, the international community should work towards renewing its collective and individual commitment to the global partnership for sustainable development, given that there was a need for thoroughgoing changes in economic practices, a move towards a green and low-carbon economy and investment in new and socially acceptable energy sources, such as biofuels.

15. He called for the strengthening of environmental governance at the international, regional and national levels, paying specific attention to improving and guaranteeing compliance with multilateral environmental agreements, a necessary prerequisite for the effective implementation of all policies. There was also a need for a predictable source of funding to match the scope of environmental activities and to explore new funding sources. He called upon developed countries to fund the environment-oriented activities of the United Nations system, not because they accounted for over 75 per cent of the world's non-renewable energy sources, but because they bore an obligation based on the sustainability of the global resource base.

## II. Organization of the session (agenda item 2)

### A. Attendance

16. The following 54 States members of the Governing Council were represented at the session/forum:<sup>1</sup> Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Benin, Botswana, Burundi, Canada, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czech Republic, Democratic Republic of the Congo, Fiji, Finland, France, Germany, Guinea, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Japan, Kazakhstan, Kenya, Mali, Mauritius, Mexico, Monaco, Netherlands, Niger, Pakistan, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Serbia, Somalia, South Africa, Spain, Thailand, Tunisia, Uganda, United States of America, Uruguay.

17. The following 95 States not members of the Governing Council but members of the United Nations or members of a specialized agency or of the International Atomic Energy Agency were represented by observers: Albania, Armenia, Bahrain, Barbados, Belize, Bhutan, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Central African Republic, Comoros, Côte d'Ivoire, Cyprus, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Holy See, Hungary, Iraq, Jamaica, Jordan, Kiribati, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Marshall Islands, Mauritania, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

18. An observer for Palestine also participated.

19. The following United Nations bodies, secretariat units and convention secretariats were represented: Barcelona Convention, Basel Convention on the Transboundary Movements of Hazardous Wastes and their Disposal, Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on Migratory Species, Convention on Wetlands of International Importance, Especially as Waterfowl Habitat, Global Environment Facility, Ozone Secretariat, Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, Stockholm Convention on Persistent Organic Pollutants, United Nations Convention to Combat Desertification, United Nations Department of Economic and Social Affairs, United Nations Development Programme, United Nations Economic Commission for Africa, United Nations Economic Commission for Europe, United Nations Framework Convention on Climate Change, United Nations High Commissioner for Refugees, United Nations Human Settlements Programme, United Nations University Institute of Advanced Studies, United Nations International Strategy for Disaster Reduction, United Nations Joint Inspection Unit.

20. The following specialized agencies were represented: Food and Agriculture Organization of the United Nations, International Civil Aviation Organization, International Labour Office, International Maritime Organization, United Nations Educational, Scientific and Cultural Organization, United Nations Industrial Development Organization, World Bank, World Health Organization, World Meteorological Organization.

21. The following intergovernmental organizations were represented: Amazon Cooperation Treaty Organization, African Centre for Technology Studies, Commonwealth Secretariat, European Environment Agency, International Assessment of Agricultural Knowledge, Science and Technology for Development, International Union for the Conservation of Nature and Natural Resources, League of

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<sup>1</sup> The membership of the Governing Council was determined by elections held at the 43rd plenary meeting of the sixtieth session of the United Nations General Assembly, on 3 November 2005, and the 52nd plenary meeting of the sixty-second session, on 15 November 2007. On 23 July 2008 at the 115th plenary meeting of the General Assembly, Hungary announced its intention to relinquish its seat on the Governing Council as from 31 December 2008, in favour of Serbia, in accordance with the rotation agreement within the Eastern European group. An election was conducted at that same meeting, as a result of which Serbia was declared to have been elected a member of the Governing Council for a term of office beginning on 1 January 2009 and expiring on 31 December 2011.

Arab States, South Asia Cooperative Environment Programme, South Pacific Commission, World Customs Organization.

22. In addition, 172 non-governmental and civil society organizations were represented by observers.

## B. Election of officers

23. At the opening session of the meeting, on 16 February, the Council/Forum elected the following officers by acclamation:

President: Mr. Olivier Dulić (Serbia)

Vice-Presidents: Mr. Mohamed Cherif Rahmani (Algeria)  
Mr. Juan Carlos Cué Vega (Mexico)  
Mr. John Matuzsak (United States of America)

Rapporteur: Mr. Budi Bowoleksono (Indonesia)

24. In his acceptance statement, the President said that he was honoured to be entrusted with such an important task at a time when the environment agenda was more prominent than ever before and citizens of all continents were turning to their leaders for vision, action and engagement on such challenges as poverty, chemicals management, declining biodiversity and increasing pollution. The time was ripe to recognize that environmental issues were central to creating a world of prosperity, stability and equity. The global green new deal initiative recently launched by UNEP was a visionary, responsive and responsible approach to tackling those challenges. An increasing number of countries were viewing environmental investment as a path to economic recovery, and the global green new deal provided support and mechanisms that could be adapted to local conditions to assist planners in crafting responses to the global crisis.

25. Noting that the Council/Forum would be examining the UNEP programme of work and budget for 2010 and 2011, he applauded UNEP for its shift towards results-based management, making the organization better placed to serve as the environmental policy pillar of the United Nations system. It was important, therefore, that Governments took responsibility for ensuring that the necessary means were provided to translate the mandate of UNEP into action and visible results on the ground. He appealed to participants, in considering the agenda of the meeting, not to lose sight of the larger issues at stake in ensuring a sustainable planet for future generations. Lastly, he expressed his intention to prepare a president's summary that captured the essence of the environmental and developmental challenges and opportunities identified by the Council/Forum, to send a clear message to a world waiting for leadership from UNEP on those issues.

## C. Credentials of representatives (agenda item 3)

26. In accordance with rule 17, paragraph 2, of the rules of procedure, the Bureau examined the credentials of the representatives attending the session. Representatives of 54 of the 58 member States attended the session and their credentials were found to be in order. The Bureau so reported to the Council/Forum, which approved the Bureau's report at the 9th plenary meeting, on 20 February 2009.

## D. Agenda

27. At the opening meeting, the Council/Forum adopted the following agenda for the session on the basis of the provisional agenda approved by the Council/Forum at its twenty-fifth session (UNEP/GC.25/1):

1. Opening of the session.
2. Organization of work:
  - (a) Election of officers;
  - (b) Adoption of the agenda and organization of work.
3. Credentials of representatives.
4. Policy issues:

- (a) State of the environment;
  - (b) Emerging policy issues;
  - (c) International environmental governance;
  - (d) Coordination and cooperation within the United Nations system on environmental matters;
  - (e) Coordination and cooperation with major groups;
  - (f) Contribution of the United Nations Environment Programme as an implementing agency of the Global Environment Facility.
5. Follow-up to and implementation of the outcomes of United Nations summits and major intergovernmental meetings, including the decisions of the Governing Council.
6. Budget and programme of work for the biennium 2010–2011 and the Environment Fund and other budgetary matters.
7. Provisional agenda, date and venue of future sessions of the Governing Council/Global Ministerial Environment Forum:
- (a) Eleventh special session of the Governing Council/Global Ministerial Environment Forum;
  - (b) Twenty-sixth session of the Governing Council/Global Ministerial Environment Forum.
8. Other matters.
9. Adoption of the report.
10. Closure of the session.

## **E. Organization of the work of the session**

28. At the 1st plenary meeting of the session, the Council/Forum considered and approved the organization of work of the session in the light of the recommendations contained in the revised annotated agenda (UNEP/GC.25/1/Add.1/Rev.1).

29. Pursuant to one of those recommendations, as agreed by the Bureau, it was decided that the Council/Forum would hold ministerial consultations from the afternoon of Monday, 16 February 2009, to the afternoon of Thursday, 19 February. The focus of those consultations would be on globalization and the environment and international environmental governance, under agenda item 4 (b).

30. Also at its 1st plenary meeting, the Council/Forum decided to establish, in accordance with rule 60 of its rules of procedure, a Committee of the Whole. The Committee of the Whole would meet concurrently with the plenary meetings of the Council/Forum and the ministerial consultations and would consider agenda items 4 (a) (Policy issues: state of the environment); 4 (c)–(f) (international environmental governance; coordination and cooperation with the United Nations system on environmental matters; coordination and cooperation with major groups; contribution of the United Nations Environment Programme as an implementing agency of the Global Environment Facility); 5 (Follow-up to and implementation of the outcomes of United Nations summits and major intergovernmental meetings, including the decisions of the Governing Council); 6 (Budget and programme of work for the biennium 2010–2011 and the Environment Fund and other budgetary matters); 7 (Provisional agenda, date and venue of future sessions of the Governing Council/Global Ministerial Environment Forum; eleventh special session of the Governing Council/Global Ministerial Environment Forum; twenty-sixth session of the Governing Council/Global Ministerial Environment Forum); and 8 (Other matters).

31. It was further decided at the 1st plenary meeting that the Committee of the Whole would be chaired by Mr. Jukka Uosukainen (Finland). A decision was also made to establish a drafting group to work on draft decisions for possible adoption by the Council/Forum, to be chaired by Mr. Daniel Chuburu (Argentina).

32. It was further agreed that the Council/Forum would consider agenda items 3 (Credentials of representatives), 9 (Adoption of the report) and 10 (Closure of the session) at the plenary meeting on the afternoon of Friday, 20 February.

## F. Policy statement by the Executive Director

33. At the 1st plenary meeting, the Executive Director delivered a policy statement that aimed, he said, to put the current meeting into the context of current events, both in the world at large and in UNEP. The meeting was being held at a time of escalating economic, social and environmental crisis, with the world in economic recession, food prices rising prohibitively and the most recent projections from the Intergovernmental Panel on Climate Change indicating that the rate of climate change was likely to be far faster than previously envisaged.

34. Within UNEP, reform had been the main theme of the previous two years, predicated on the idea that any institution within the United Nations system must demonstrate value added, and acknowledging that the main role of UNEP was to provide the scientific foundation for action on the environment and sustainable development. The ambitious reform agenda had been developed with the support of all stakeholders, and the organization had been given a clear mandate to drive the process forward with adoption of the medium-term strategy for the period 2010–2013 at the tenth special session of the Council/Forum in Monaco, February 2008. UNEP, he said, must allow itself to be judged by its capacity to respond to that mandate. The alacrity with which a prioritized programme of work based on the strategy had been developed was a tribute to the hard work and efficiency of the management and staff in all divisions of UNEP.

35. He then described, in summary, the broad range of actions and measures being taken by UNEP within the reform process, including strengthening the organization's science base; ensuring a firmer financial basis; solidifying the regional presence of UNEP; renewing focus on excellence and equity within the workforce, following a staff opinion survey; and upgrading the information and communication technology capacity. Such measures would render UNEP better able to achieve its priorities, including enhanced delivery of the Bali Strategic Plan and greater engagement in the international environmental governance debate. The reforms, he said, had been carried out with the organization's own resources, and had placed UNEP in a strong position to request additional funding to implement its programme of work. He drew particular attention to the \$35 million of extra financing made available by the Government of Norway.

36. While much had been achieved, he continued, much remained to be done to implement reform. Future priorities included enhancing the effectiveness of the United Nations Environmental Management Group; further use of key publications (for example, the *Year Book 2009*) as the basis for planning and advocacy; finding new ways to link the regional presence of UNEP with engagement at national level; widening cooperation with other organizations both within and outside the United Nations system; and taking forward the Poverty-Environment Initiative. Lastly, he alluded to a number of activities that underlined the importance of ecosystems and biodiversity as the basis of a green economy that viewed economics and the environment as complementary rather than oppositional. It was important, he said, to move beyond pilot projects and demonstrate scalability. UNEP itself was showing the way forward, and in 2008 became a carbon-neutral institution. In conclusion, he expressed the hope that the current meeting could provide the visions and horizons that would enable UNEP to operate as a coherent, effective, strategic partner in achieving the ultimate goal of a global green economy. A transcript of the policy statement, as delivered, is set out in annex V to the present proceedings.

37. Under the item, the Council/Forum heard general statements from the representatives of Nigeria, speaking on behalf of the Group of 77 and China; the Czech Republic, speaking on behalf of the European Union; the United States of America; and Palestine.

38. The representative of Nigeria, welcoming the Executive Director's policy statement, recalled that the international community was facing significant challenges, so much so that many developing countries were seeing their progress being undermined. He called for the green economy initiative to be pro-development, pro-job creation and pro-poor, among other things. He also urged developed countries to honour their commitments to attaining internationally agreed development goals and resist all protectionist measures. UNEP required, he said a regular and predictable source of funding to enable it to render more assistance to member States. Noting that the international community had much to do to achieve the objectives of the Bali Strategic Plan, he called for it to be integrated into the medium-term strategy.

39. The representative of the Czech Republic welcomed the green economy initiative and called for a shift towards a more sustainable growth and development model that fully integrated the environmental dimension. On mercury, he called for the Governing Council to initiate negotiations on a new multilateral environment agreement that would be legally binding, but with both mandatory and discretionary obligations and that would contain a mechanism to encompass other substances of global

concern. He also endorsed the negotiations begun in Putrajaya, Malaysia, in 2008 on an intergovernmental science-policy platform on biodiversity and ecosystem services and called for adequate, stable and predictable financing for UNEP.

40. The representative of the United States stressed that his country would continue and indeed reinforce its commitment to environmental goals following the election of President Barack Obama. His country would, he said, take the lead in tackling environmental challenges and he urged other countries to do the same. There was, he said, a solid basis for launching negotiations on a legally binding instrument on mercury, and he called for UNEP to be strengthened in areas where it held a comparative advantage. There was an urgent need, he said, for attention to be paid to building the scientific capacity of developing countries.

41. The representative of Palestine expressed serious concern at the environmental situation in the Gaza Strip caused by the escalation of violence and hostilities during December 2008 and January 2009. He announced that a draft decision on the subject would be submitted for consideration by the Council. He urged UNEP to take note of the damage caused to the environment in the Gaza Strip, and called for the Executive Director and an expert group to visit the occupied territories to see the effects of the recent armed conflict with Israel, stating that significant damage had been caused to the environment in all its forms, including human life.

## **G. Ministerial consultations**

42. At its 2nd plenary meeting, on the afternoon of 16 February, the Council/Forum began its consideration of agenda item 4 (b), emerging policy issues, in the form of ministerial consultations, focusing on the themes of globalization and the environment and international environmental governance.

43. The ministerial consultations began at the 2nd plenary meeting with a keynote address relating to the nature and scale of current challenges and opportunities in environment and development. The consultations continued at the 3rd, 4th and 5th plenary meetings, on 17 and 18 February. The theme of international environmental governance was discussed at the 7th and 8th plenary meetings, on 19 February. The 6th plenary meeting was devoted to climate change and was organized by the Government of Denmark in its role as host Government of the fifteenth session of the Parties to the United Nations Framework Convention on Climate Change, to be held in 2009. The consultations included concurrent round-table discussions that were intended to enable participants to explore the issues more fully in smaller groups.

44. At the 9th plenary meeting, on the morning of Friday, 20 February, the President of the Council/Forum presented a draft summary of the views expressed during the consultations on each theme considered during the twenty-fifth session of the Council/Forum. He said that the summary reflected the variety of views expressed during the ministerial consultations, and did not constitute a consensus text. One representative said that the principle of common but differentiated responsibility had figured prominently in the discussions and merited more explicit consideration in the summary. The Council/Forum took note of the President's summary, which is set out in annex III to the present proceedings.

## **H. Report of the Committee of the Whole**

45. The Committee of the Whole held nine meetings from 16 to 20 February 2009, to consider the agenda items assigned to it. At its 9th plenary meeting, on 20 February, the Council/Forum took note of the report of the Committee of the Whole. The report is set out in annex II to the present proceedings.

## **III. Adoption of decisions**

Decision no.	Title
25/1	Implementation of decision SS.VII/1 on international environmental governance
25/2	World environmental situation
25/3	International Year of Biodiversity
25/4	International environmental governance
25/5	Chemicals management, including mercury

Decision no.	Title
25/6	Long-term strategy on engagement and involvement of young people in environmental issues
25/7	Omnibus decision on reports of the Executive Director
25/8	Waste management
25/9	South-South cooperation for achieving sustainable development
25/10	Intergovernmental science-policy platform on biodiversity and ecosystem services
25/11	Environmental law
25/12	Environmental Situation in the Gaza Strip
25/13	Proposed biennial programme and support budgets for the biennium 2010–2011
25/14	Management of trust funds and earmarked contributions
25/15	Supplementary budget
25/16	Support to Africa in environmental management and protection
25/17	Provisional agendas, dates and venues for the eleventh special session of the Governing Council/Global Ministerial Environment Forum and the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum

46. At the time of the adoption of the draft decision on the world environmental situation, the representative of the United States of America requested the secretariat to consider whether the words “sole responsibility” had been used previously to describe the responsibility of UNEP for keeping under review the world environmental situation in the United Nations system. He suggested that, to avoid expanding the mandate of UNEP and undermining the responsibility of other organizations on environmental matters, the words “principal responsibility” could be employed.

47. At the time of the adoption of the draft decisions on the proposed biennial programme and support budgets 2010–2011, management of trust funds and earmarked contributions and supplementary budget, the representative of Mexico clarified that, although his country had agreed to the adoption of the decision, it should be noted that its interpretation of the financial implications contained in the decision was that resources should be drawn from a redistribution of existing resources and not from new resources.

**IV. Policy issues (agenda items 4 (a) (State of the environment), 4 (c) (International environmental governance), 4 (d) (Coordination and cooperation within the United Nations system on environmental matters), 4 (e) (Coordination and cooperation with major groups), 4 (f) (Contribution of the United Nations Environment Programme as an implementing agency of the Global Environment Facility)**

**V. Follow-up to and implementation of the outcomes of United Nations summits and major intergovernmental meetings, including the decisions of the Governing Council (agenda item 5)**

**VI. Budget and programme of work for the biennium 2010–2011 and the Environment Fund and other budgetary matters (agenda item 6)**

**VII. Provisional agenda, date and venue of future sessions of the Governing Council/Global Ministerial Environment Forum (agenda item 7)**

## **VIII. Other matters (agenda item 8)**

48. The above agenda items were considered by the Committee of the Whole. The report on the deliberations of the Committee is contained in annex II to the present proceedings.

49. The decisions adopted by the Council/Forum on the items are set out in annex I to the present proceedings and are listed in chapter III above.

## **IX. Adoption of the report (agenda item 9)**

50. The present proceedings were adopted by the Council/Forum at its 9th plenary meeting, on 20 February 2009, on the basis of the draft proceedings which had been circulated and on the understanding that the secretariat and the Rapporteur would be entrusted with their finalization.

## **X. Closure of the session (agenda item 10)**

51. The representative of Burkina Faso, on behalf of a group of African ministers of environment participating in the programme for the implementation of the Stockholm Convention in least developing countries and small island developing States in Africa, run jointly by the Global Environment Facility, UNEP and the United Nations Industrial Development Organization, presented a ministerial declaration in that regard. The declaration, which has not been formally edited, can be found in annex VI to the present proceedings.

52. Ms. Wangari Maathai (Kenya), 2004 Nobel Peace Laureate, delivered a statement in which she expressed her gratitude to representatives for the constructive outcomes of the session and for their participation in ministerial consultations that had facilitated listening and learning. She recalled the words of Mr. James Lovelock, father of the Gaia theory, by which he indicated that the human family should not flatter itself that it could save the earth, but rather should concern itself with the question of its own survival in the face of the changes it was precipitating, to which the planet would doubtless adapt.

53. As United Nations Goodwill Ambassador for the Congo Forest Ecosystems, she drew attention to the need to include forests, especially rainforests, in solutions to environmental challenges. On the road to the fifteenth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, it was crucial, she said, to convince others that reducing emissions from deforestation and degradation was part of the solution to the current crises. Recalling that the Congo forest was the second largest rainforest in the world, she invited countries to support the partnership for the Congo basin and the Congo Basin Forest Fund, of which she was co-chair, established with support from Norway and the United Kingdom of Great Britain and Northern Ireland of some \$220 million and based at the offices of the African Development Bank in Tunis.

54. She emphasized the importance of working in partnership, including with local communities and non-governmental organizations, on big and small projects worldwide and she highlighted the need to pay attention to human rights issues in the work of the Council. She drew attention to the success of the global Billion Tree Campaign and thanked the Executive Director and participants in the Campaign, which she had launched in 2006 in conjunction with Prince Albert II of Monaco, that had seen the planting of more than 2.5 billion trees worldwide. In closing, she suggested that armies around the world should be recruited to protect their countries from the unseen enemies of desertification, land degradation and deforestation and she urged representatives to be soldiers for the environment.

55. In his closing statement, the Executive Director expressed his appreciation for the speech by Ms. Maathai, before thanking all those involved in achieving the impressive results that had been secured during the week. In thanking UNEP staff for the months of preparation, he commented that the preparation and procedure of Governing Council was always a time of both trauma and excitement, with the realization that the line between failure and success was indeed fine. He commended representatives for the long hours of negotiation and commented on the impressive spirit of compromise demonstrated throughout the negotiations. He expressed the view that that spirit should be an inspiration for the motivation of the secretariat in the work ahead.

56. The Executive Director introduced a short video on environmental renewal and urban gardening in Ethiopia by a young people's organization. He said that young people were at the core of UNEP activities.

57. The President of the Council/Forum said that the current session represented one of the most successful meetings ever held, something of which representatives should be extremely proud. He stressed that the coming biennium would present opportunities and challenges with correspondent risks and initiatives required. He expressed his commitment to spare no effort in working with the Bureau and the Executive Director to intensify efforts related to decisions adopted by the Council at the current session and to share the messages and opinions set out in the President's summary with all stakeholders, including United Nations entities, Governments, the private sector and civil society. He thanked members of the Bureau for their support and representatives for the results achieved as a result of their dedication to the environment. He expressed his particular gratitude to the Executive Director for his leadership and diplomatic skills.

58. Following a short video presentation on the phrase "Green is the new big deal" and the customary exchange of courtesies, the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum was declared closed at 4.25 p.m. on Friday, 20 February 2009.

## Annex I

### Decisions adopted by the Governing Council/ Global Ministerial Environment Forum at its twenty-fifth session

Decision no.	Title
25/1	Implementation of decision SS.VII/1 on international environmental governance
25/2	World environmental situation
25/3	International Year of Biodiversity
25/4	International environmental governance
25/5	Chemicals management, including mercury
25/6	Long-term strategy on engagement and involvement of young people in environmental issues
25/7	Omnibus decision on reports of the Executive Director
25/8	Waste management
25/9	South-South cooperation for achieving sustainable development
25/10	Intergovernmental science-policy platform on biodiversity and ecosystem services
25/11	Environmental law
25/12	Environmental situation in the Gaza Strip
25/13	Proposed biennial programme and support budgets for the biennium 2010–2011
25/14	Management of trust funds and earmarked contributions
25/15	Supplementary budget
25/16	Support to Africa in environmental management and protection
25/17	Provisional agendas, dates and venues for the eleventh special session of the Governing Council/Global Ministerial Environment Forum and the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum

#### Decision 25/1: Implementation of decision SS.VII/1 on international environmental governance

*The Governing Council,*

*Recalling General Assembly resolution 2997 (XXVII) of 15 December 1972, the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme<sup>2</sup> and the Malmö Ministerial Declaration,<sup>3</sup>*

*Recalling also General Assembly resolutions 57/251 of 20 December 2002, 58/209 of 23 December 2003 and 59/226 of 22 December 2004,*

*Recalling further its decision SS.VIII/1 of 31 March 2004 and the Plan of Implementation of the World Summit on Sustainable Development,<sup>4</sup> which emphasized the need for full implementation of decision SS.VII/1 of 15 February 2002,*

*Recalling the Bali Strategic Pan for Technology Support and Capacity-building,<sup>5</sup> which it adopted by its decision 23/1 of 25 February 2005,*

*Recalling also its decision 24/1 of 9 February 2007,*

*Recalling further the triennial comprehensive policy review of operational activities for development of the United Nations system,<sup>6</sup>*

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2 Governing Council decision 19/1 of 7 February 1997, annex.

3 Report of the Governing Council on the work of its Global Ministerial Environment Forum/sixth special session, UNEP/GCSS.VI/9, annex I.

4 Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002 (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

5 UNEP/IEG/IGSP/3/4, annex.

*Having considered* the reports of the Executive Director on international environmental governance,

## I

### **Follow-up to paragraph 169 of the 2005 World Summit Outcome**

1. *Notes* the General Assembly discussions on issues relating to international environmental governance within an informal consultative process, which have contributed to further common understanding of different views on these matters;
2. *Also notes* that the General Assembly, in accordance with its resolution 61/205 of 20 December 2006, has decided to consider, if necessary, the issue of universal membership of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme at its sixty-fourth session, while noting the differences in views expressed so far on this important but complex issue;
3. *Reaffirms* its commitment to continuing the discussion on international environmental governance with a view to adopting a General Assembly resolution on advancing and determining specific actions towards greater coherence and efficacy of the international environmental institutional framework;
4. *Takes note* of the report prepared by the United Nations Joint Inspection Unit entitled “Management review of environmental governance within the United Nations system”;<sup>7</sup>

## II

### **Strengthening the scientific base of the United Nations Environment Programme**

5. *Welcomes* the further consultative process on strengthening the scientific base of the United Nations Environment Programme as facilitated by the Executive Director and the valuable inputs made by Governments and other stakeholders that have resulted in a revised Environment Watch strategy;<sup>8</sup>
6. *Reaffirms* the need to strengthen the scientific base of the United Nations Environment Programme, within its mandate, including through the reinforcement of the scientific capacities of developing countries and countries with economies in transition in the area of protection of the environment;
7. *Emphasizes* the need for greater cooperation with and among existing bodies to make more efficient use of existing infrastructures, data, mechanisms and tools to enhance interoperability among systems;
8. *Highlights* the importance of considering the complementarity between the scientific initiatives of the United Nations Environment Programme and the advisory and scientific assessment mechanisms of multilateral environmental agreements;
9. *Reaffirms* environmental early warning and assessment and monitoring of the state of the global environment as core functions of the United Nations Environment Programme and recognizes the importance of the networks and partners that enable it to perform those core functions;
10. *Underlines* the vital importance in a globalizing world of strengthening capacities to provide environmental information for policy-setting and decision-making, including the integration of the environment into development, meeting the obligations of multilateral environmental agreements and the achievement of national and international development goals, where appropriate, through the implementation of the Bali Strategic Plan and what is termed the “Delivering as one” initiative;<sup>9</sup>

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6 Resolution 62/208 of the General Assembly.

7 JIU/REP/2008/3, submitted to the Council/Forum at its twenty-fifth session as document UNEP/GC.25/INF/33.

8 UNEP/GC.25/IINF/20.

9 Delivering as one: report of the Secretary General’s High-level Panel on System-wide Coherence in the areas of development, humanitarian assistance and the environment (A/61/583).

11. *Takes note* that the revised Environment Watch strategy is consistent with the approved programme of work of the United Nations Environment Programme and with the “Delivering as one” approach;

12. *Recognizes* that the important functions of the strategy are the following:

- (a) Capacity-building and technology support;
- (b) Assessment;
- (c) Early warning, monitoring and observation;
- (d) Data support, information-sharing and development of mutually agreed environmental indicators;
- (e) Networking and partnerships;

13. *Invites* countries, partners, donors and financial institutions to contribute additional, extrabudgetary resources to meet the cost of implementing the strategy at the national level in accordance with the approved programme of work of the United Nations Environment Programme and in the framework of the “Delivering as one” initiative;

### **III**

#### **Bali Strategic Plan for Technology Support and Capacity-building**

14. *Notes with satisfaction* that the Bali Strategic Plan for Technology Support and Capacity-building has become an integral part of the medium-term strategy for the period 2010–2013 and also of the implementation of the approved programme of work of the United Nations Environment Programme and calls upon the Executive Director, within the approved programmes of work, further to advance and fully implement the Bali Strategic Plan with a view to achieving its objectives in the areas of capacity-building and technology support for developing countries and countries with economies in transition;

15. *Requests* the Executive Director to continue his efforts and increase support to strengthen the regional offices of the United Nations Environment Programme to contribute to the implementation of the Bali Strategic Plan;

### **IV**

#### **Strengthening the financing of the United Nations Environment Programme**

16. *Emphasizes* the need for stable, adequate and predictable financial resources for the Environment Fund, in the context of the United Nations regular budget, in accordance with General Assembly resolution 2997 (XXVII) of 15 December 1972;

17. *Reaffirms* its support for the provision of adequate, stable and predictable financing for the United Nations Environment Programme as an essential prerequisite for the strengthening of its capacity and functions, as well as for the effective coordination of the environmental component of sustainable development;

18. *Encourages* Governments, to the extent feasible and noting the strategic, prioritized and results-based direction taken through the medium-term strategy, to move towards contributions to the Environment Fund in preference to earmarked trust funds with a view to enhancing the role of the Governing Council in determining the programme of work and priorities of the United Nations Environment Programme;

19. *Requests* the Executive Director, in accordance with paragraph 19 of the appendix to decision SS.VII/1, to notify all United Nations Member States of the voluntary indicative scale of contributions that he intends to propose for the biennium 2010–2011 by 1 August of the year preceding the year in which these contributions should be paid and invites each Member State to inform the Executive Director as to whether it will use the proposed voluntary indicative scale of contributions;

20. *Encourages* Governments, taking into account their economic and social circumstances, to make their voluntary contributions to the Environment Fund in 2010–2011 in an amount equal to or greater than that suggested by the voluntary indicative scale of contributions or on the basis of the other voluntary options listed in paragraph 18 of the appendix to decision SS.VII/1;

21. *Requests* the Executive Director to continue his efforts in seeking an increase in voluntary funding, from all sources, for strengthening the financial base of the United Nations Environment Programme;
22. *Welcomes* efforts by the Executive Director to ensure efficient planning, timely delivery of its programme results and more efficient use of the available funds;

## V

### **Issues related to multilateral environmental agreements**

23. *Takes note* of the activities undertaken by the Executive Director to increase the effectiveness of, and the coordination and synergy between, multilateral environmental agreements;
24. *Also takes note* of the activities undertaken by the Executive Director to support Governments in their efforts better to implement, to comply with and to enforce multilateral environmental agreements;
25. *Notes* that the activities of the Executive Director as referred to in paragraphs 23 and 24 have been undertaken taking into account the autonomous decision-making authority of the conferences of the parties to such agreements and the need to promote the environmental dimension of sustainable development among other relevant United Nations bodies;
26. *Welcomes* the outcomes of the Ad Hoc Joint Working Group on Enhancing Cooperation and Coordination Among the Basel, Rotterdam and Stockholm Conventions, as contained in its recommendations, and the adoption of those recommendations by the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal at its ninth meeting and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade at its fourth meeting;
27. *Encourages* contracting parties to other multilateral environmental agreements in specific areas where common issues arise to consider ways and means of enhancing cooperation and coordination, drawing upon, as appropriate, the experience of the Basel, Rotterdam and Stockholm conventions;
28. *Requests* the Executive Director, in the event that the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants also adopts those recommendations at its fourth meeting, to undertake relevant actions envisaged in the recommendations, as appropriate, within the framework of the approved programme of work of the United Nations Environment Programme and within the available resources;

## VI

### **Enhanced coordination across the United Nations system, including the Environment Management Group**

29. *Welcomes* the efforts of the Executive Director in his capacity as chair of the Environment Management Group and those of its members in promoting cooperation across the United Nation system on environmental activities, including its support for the commitment made by the United Nations System Chief Executive Board for Coordination to moving the United Nations towards climate neutrality;
30. *Also welcomes* the increased attention of the Environment Management Group to key environmental processes under the three Rio conventions and, in this regard, welcomes the United Nations Environment Programme-International Union for Conservation of Nature “Tematica” project on issue-based modules as a useful tool to support the coherent implementation of multilateral environmental agreements within their respective mandates;
31. *Requests* the Executive Director to invite the Environment Management Group to promote cooperation across the United Nations system to assist Member States to implement the international environmental agenda, including through consideration of joint approaches to addressing environmental challenges of United Nations system-wide significance;
32. *Welcomes* the continuing consideration in the Environment Management Group on United Nations system-wide support for the implementation of the ten-year strategic plan and

framework to enhance the implementation of the Convention to Combat Desertification<sup>10</sup> in response to the call by the General Assembly in its resolution 63/218 of 19 December 2008, which is to be undertaken within the convention's mandate, and also welcomes the consideration by the Environment Management Group of support for the 2010 biodiversity target process;

33. *Also welcomes* the efforts by the United Nations Environment Programme to engage actively in the "Delivering as one" initiative, and also in the joint United Nations Environment Programme-United Nations Development Programme poverty and environment initiative;

34. *Reaffirms* the role of the United Nations Environment Programme as the principal environmental body within the United Nations system that promotes coherent implementation of the environmental dimension of sustainable development and expresses its wish that cooperation between the United Nations Environment Programme and the United Nations Development Programme be strengthened further, including through the revised memorandum of understanding and by clearly specifying their respective roles;

35. *Requests* the Executive Director to present the progress report on the implementation of the revised memorandum of understanding between the United Nations Development Programme and the United Nations Environment Programme to the Governing Council/Global Ministerial Environment Forum at its next special session.

## **Decision 25/2: World environmental situation**

*The Governing Council,*

*Pursuing* its functions and responsibilities as outlined in General Assembly resolution 2997 (XXVII) of 15 December 1972, and subsequent mandates, including those emanating from the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme<sup>11</sup> and the Malmö Ministerial Declaration,<sup>12</sup> including to keep under review the world environmental situation in order to ensure that emerging environmental problems of wide international significance are prioritized and receive appropriate and adequate consideration by Governments, and to promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information,

*Recalling* its decision 22/1 of 7 February 2003 on early warning, assessment and monitoring; decision 23/6 of 25 February 2005 on keeping the world environmental situation under review; and decision SS.X/5 of 22 February 2008 on the Global Environment Outlook: environment for development,

*Recalling also* General Assembly resolution 60/30 of 29 November 2005 on oceans and the law of the sea, by which the General Assembly decided to establish a regular process under the United Nations for the global reporting and assessment of the state of the marine environment, including socio-economic aspects, to be jointly implemented by the United Nations Environment Programme and the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, and General Assembly resolutions 61/222 of 20 December 2006 and 62/215 of 22 December 2007,

*Recalling further* the findings and recommendations of the fourth Global Environment Outlook,

*Noting* the findings contained in a number of other environmental assessment reports and publications released since the twenty-fourth session of the Governing Council/Global Ministerial Environment Forum, in particular those prepared by the United Nations Environment Programme in cooperation with partners,

*Noting also* the findings contained in reports on the state of the international assessment landscape,

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10 Decision 3/COP.8 of the eighth session of the Conference of the Parties, as contained in document ICCD/COP(8)/16/Add.1.

11 Governing Council decision 19/1 of 7 February 1997, annex.

12 Report of the Governing Council on the work of its Global Ministerial Environment Forum/sixth special session, UNEP/GCSS.VI/9, annex I.

*Expressing concern* that the documented environmental degradation and widespread changes resulting from human activity, together with natural processes and the loss of ecosystem services and goods, are barriers to the attainment of internationally agreed development goals,

*Welcoming with appreciation* the efforts made by the United Nations Environment Programme to build regional and national capacities for environmental data collection, information and assessment, performed in cooperation with other United Nations entities, national Governments, non-governmental organizations, the private sector and other partners,

*Recognizing* that the United Nations Environment Programme bears the sole responsibility within the United Nations system for keeping under review the world environmental situation to ensure that emerging environmental problems of wide international significance are prioritized and receive appropriate and adequate consideration by Governments and that the Global Environment Outlook is currently the only integrated and cross-cutting global assessment of environmental change,

*Recognizing also* the importance of building on the experiences gained and lessons learned from other assessment processes and the findings from the fourth Global Environment Outlook evaluation process together with other recent developments aimed at strengthening the scientific base of the United Nations Environment Programme,

*Welcoming* the options presented by the Executive Director on the possible development of a scientifically credible and policy-relevant global assessment of environmental change and its implications for development, including the option that embeds a structured set of integrated and thematic assessments within the framework of the medium-term strategy spanning its six cross-cutting thematic priorities,

## I

### Scientific findings of recent assessments

1. *Urges* Governments, United Nations agencies, financial institutions, the private sector and civil society to consider key environmental assessment findings in the light of the growing awareness of the complexity of those challenges and their links to human well-being and development goals;

2. *Calls upon* Governments to demonstrate strong leadership individually and collectively and to implement effective policy responses including, where appropriate, economic instruments and market mechanisms to regulate and manage the environment, ecosystems and their services, and to continue to cooperate within the framework of multilateral processes that aim to reverse environmental degradation;

3. *Invites* Governments and other interested parties, taking note of the “assessment of assessments – Progress report” endorsed by the Ad Hoc Steering Group for the “assessment of assessments” of the regular process for global reporting and assessment of the state of the marine environment, including social and economic aspects, at its third meeting and submitted by lead agencies to Member States, to contribute financially to enable the completion of the “assessment of assessments” and its submission to the United Nations General Assembly at its sixty-fourth session, to be held in 2009;

## II

### International assessment landscape

4. *Urges* Governments to improve the scientific basis of their own environmental management and decision-making and to strengthen public support for environmental action through regular assessment and reporting on the state of the national environment, in accordance with national legislation and multilateral environmental agreements, while contributing to subregional, regional and global assessment and reporting processes as appropriate;

5. *Requests* the Executive Director, in the assessment activities of the United Nations Environment Programme to make scientific data, metadata and standards from assessments available in an open-access electronic format so that future assessments can be based on past work and can be useful as a baseline for modelling and predictive analysis;

6. *Also requests* the Executive Director, through the programme of work, to maintain oversight of the international assessment landscape, to work with other partners in efforts to streamline and improve coherence in international environmental assessment and reporting processes, to assist in

developing assessment processes that are credible, relevant and legitimate so as to enhance their influence, to strengthen the capacities of countries that are experiencing challenges in meeting their environmental assessment and reporting obligations, to facilitate access to environmental assessments and reports through an online depository and to report back to the Governing Council/Global Ministerial Environment Forum on improvements in this area through the regular report by the Executive Director on the state of the environment;

7. *Further requests* the Executive Director to assist countries, as appropriate, through the programme of work, to harmonize their national legislation relevant to environmental assessment and reporting so that the thematic coverage and periodicity of reporting is relevant and timely;

### III

#### **Future global assessment of environmental change**

8. *Requests* the Executive Director, through the programme of work, to continue to conduct comprehensive, integrated and scientifically credible global environmental assessments, avoiding duplication and building on ongoing assessment work, to support decision-making processes at all levels, in the light of the continuing need for up-to-date, scientifically credible, policy-relevant information on environmental change worldwide, including analyses of cross-cutting issues and indicator based components;

9. *Also requests* the Executive Director, through the programme of work, to engage all relevant stakeholders in conducting global environmental assessments to support and strengthen further their scientific credibility, policy relevance and legitimacy;

10. *Encourages* the Executive Director to include as a priority capacity-building for developing countries as a component of the assessment processes;

11. *Requests* the Executive Director, through the programme of work and budget, to undertake a coherent set of integrated and thematic United Nations Environment Programme assessments, including a comprehensive integrated global assessment, the fifth report in the Global Environment Outlook series, *GEO-5*, which should also inform, as appropriate, the strategic directions of the United Nations Environment Programme;

12. *Also requests* the Executive Director to strengthen the policy relevance of *GEO-5* by including an analysis of appropriate policy options and their indicative costs and benefits to speed up realization of the internationally agreed goals and targets, and also to inform relevant global processes and meetings where progress towards these agreed goals and targets will be discussed;

13. *Invites* the Executive Director to organize a *GEO-5* process in which the scope, objectives and process of the Global Environment Outlook are finalized and adopted at a global intergovernmental and multi-stakeholder consultation and to convene a final intergovernmental meeting to negotiate and endorse the summary for policymakers based on the scientific findings of the full report;

14. *Requests* the Executive Director to elaborate further on the requirements for a migration to targeted assessments on thematic priority areas supported by a UNEP-Live enabling framework<sup>13</sup> and to report thereon to the Governing Council at its twenty-sixth session in 2011.

#### **Decision 25/3: International Year of Biodiversity**

*The Governing Council,*

*Recalling* resolution 61/203 of 20 December 2006 by which the General Assembly declared 2010 the International Year of Biodiversity,

1. *Invites* Governments and relevant organizations to plan and undertake appropriate activities to commemorate and celebrate the International Year of Biodiversity 2010 spirit and to contribute to the success of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, in 2010;

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13 A framework where decision makers have easy access to assessment findings, syntheses, summaries and technical briefs.

2. *Requests* the Executive Director of the United Nations Environment Programme, in consultation with the Executive Secretary of the Convention on Biological Diversity, to provide the active and full support of the United Nations Environment Programme in the preparations and organization of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, consistent with the mandate of the United Nations Environment Programme in this regard;

3. *Also requests* the Executive Director of the United Nations Environment Programme to collaborate with the Executive Secretary of the Convention on Biological Diversity to promote cooperation between and coordination of international organizations and non-governmental organizations, and thereby to maximize effectively contributions to the biodiversity agenda.

## **Decision 25/4: International environmental governance**

*The Governing Council,*

*Taking note* of the recommendation contained in the report by the co-chairs of the informal consultations of the General Assembly on the institutional framework for United Nations environment work,<sup>14</sup> dated 10 February 2009, to produce proposals that “allow improving the current system”,

*Taking note also* of the discussion paper prepared by the Executive Director for the ministerial consultations at the twenty-fifth session of the Governing Council on the theme: “Globalization and the environment – global crises: national chaos?”<sup>15</sup> which presents the scale and nature of current global crises and the emerging opportunities to respond to them,

*Taking note further* of the discussion paper prepared by the Executive Director for the ministerial consultations at the twenty-fifth session of the Governing Council on the theme: “International environmental governance and United Nations reform – international environmental governance: help or hindrance?”<sup>16</sup> which addresses international environmental governance from a country perspective,

*Taking into account* decision SS.VII/1 of 15 February 2002 on international environmental governance, which, together with its appendix, is known as the “Cartagena package”, and the management review of environmental governance within the United Nations system prepared by the Joint Inspection Unit,<sup>17</sup>

*Aware* that the consultative process proposed below and the conclusions reached by the Governing Council/Global Ministerial Environment Forum at its eleventh special session will provide input to, among other things, the General Assembly’s follow-up to the measures set out in paragraph 169 of the 2005 World Summit Outcome,<sup>18</sup>

1. *Decides* to establish a regionally representative, consultative group of ministers or high-level representatives, inviting each United Nations region to propose between two and four Governments to participate, while remaining open to participation by other interested Governments;

2. *Requests* the group of ministers or high-level representatives to conclude its work and present a set of options for improving international environmental governance to the Governing Council/Global Ministerial Environment Forum at its eleventh special session, with a view to providing inputs to the United Nations General Assembly;

3. *Decides* that the group will have two co-chairs, one from a developing country and one from a developed country, and requests the Executive Director to participate as an adviser to the group;

4. *Urges* the group to begin its work as soon as possible and, at its first meeting, to determine the structure of its work;

5. *Requests* the Executive Director to seek extrabudgetary resources, if required, in order to facilitate the participation in the meetings of the developing countries proposed by the regional groups.

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14 UNEP/GC.25/INF/35.

15 UNEP/GC.25/16.

16 UNEP/GC.25/16/Add.1.

17 JIU/REP/2008/3, contained in document UNEP/GC.25/INF/33.

18 General Assembly resolution 60/1 of 16 September 2005.

## **Decision 25/5: Chemicals management, including mercury**

*The Governing Council,*

*Recalling* its decisions 18/12 of 26 May 1995, 19/13 of 7 February 1997, 20/23 of 4 February 1999, 21/5 of 9 February 2001, SS.VII/3 of 15 February 2002, 22/4 of 7 February 2003, 23/9 of 25 February 2005, SS.IX/1 of 9 February 2006 and 24/3 of 9 February 2007 concerning global policies related to chemicals management and the development of a strategic approach to international chemicals management,

*Acknowledging with appreciation* the progress achieved to enhance coordination and cooperation within the international chemicals and waste cluster,

*Acknowledging* the widespread concerns over the serious adverse effects of mercury on human health and the environment and the urgent need for international action,

*Noting* that the work set out in the present decision will be carried out within the framework of the programmes of work of the United Nations Environment Programme and its subprogrammes,

*Having considered* the reports of the Executive Director on chemicals management,

### **I**

#### **Strategic Approach to International Chemicals Management**

1. *Welcomes* the progress made to date in implementing the Strategic Approach to International Chemicals Management;

2. *Also welcomes* the important contributions of the United Nations Environment Programme to the implementation of the Strategic Approach process and in particular the efforts to integrate sound management of chemicals into development planning processes for developing countries and countries with economies in transition and the assistance to developing countries and countries with economies in transition in preparing proposals for the Quick Start Programme and their subsequent implementation;

3. *Requests* the Executive Director to strengthen support for implementation of the Strategic Approach and its Secretariat and facilitate more robust efforts in developing countries and countries with economies in transition to ensure the sound management of chemicals, in particular by ensuring that projects and programmes discussed under the Quick Start Programme are processed and implemented in an expeditious manner;

4. *Underlines* the importance of the multi-stakeholder, cross-sectoral and voluntary nature of the Strategic Approach;

5. *Also underlines* the importance of the continuing cooperation between the United Nations Environment Programme and other participating organizations and observers of the Inter-Organization Programme for the Sound Management of Chemicals;

6. *Encourages* the United Nations Environment Programme to play a leading role in assisting the implementation of the Strategic Approach while noting that the important roles of the International Conference on Chemicals Management are set out in paragraph 24 of the Overarching Policy Strategy of the Strategic Approach;

7. *Notes* that the International Conference on Chemicals Management will discuss ways to promote further progress in implementation of the Strategic Approach and approaches for the mid-term and long-term financing of the Strategic Approach;

8. *Urges* Governments, intergovernmental organizations, non-governmental organizations and others in a position to do so to contribute financially and in kind to implementation of the Strategic Approach, including through the Quick Start Programme, the Secretariat and the programme of work of the United Nations Environment Programme;

## II

### **Lead and cadmium**

9. *Acknowledges* the progress made on lead and cadmium, including actions taken to finalize the reviews of scientific information on lead and cadmium, in particular the actions taken to fill the data and information gaps, together with the actions to compile an inventory of risk management measures;

10. *Takes note* of the key findings of the 2008 review of scientific information on lead<sup>19</sup> and the 2008 review of scientific information on cadmium<sup>20</sup> including that, because they have relatively short residence time in the atmosphere, these metals are mainly transported over local, national or regional distances; and also notes that the export of new and used products containing lead and cadmium, remains a challenge for developing countries and countries with economies in transition which lack the capacity to manage and dispose of the substances in products in an environmentally sound manner;

11. *Notes* that further action is needed to address the challenges posed by lead and cadmium;

12. *Encourages* efforts by Governments and others to reduce risks to human health and the environment of lead and cadmium throughout the whole life cycle of those substances and to take action to promote the use of lead and cadmium-free alternatives, where appropriate, for instance in toys and paint as some products containing lead may cause a risk through normal use;

13. *Acknowledges* the efforts made by Governments and others to phase out lead from gasoline, in particular through the Partnership for Clean Fuels and Vehicles, and urges those Governments that are in a transition phase to phase out lead from gasoline as early as possible;

14. *Requests* the Executive Director to facilitate the above-mentioned work in developing countries and countries with economies in transition, including through the Bali Strategic Plan for Technology Support and Capacity-building, based on requests and subject to available funding;

15. *Takes note* of the United Nations Environment Programme study on the possible effects on human health and the environment in Africa of the trade of products containing lead, cadmium and mercury;<sup>21</sup>

16. *Requests* the Executive Director, in cooperation with Governments and relevant institutions to continue to address the data and information gaps identified in the United Nations Environment Programme reviews of scientific information on cadmium and lead;

17. *Also requests* the Executive Director to finalize the scientific review taking into account the latest available information in line with decisions 24/3 of 9 February 2007 and 23/9 of 25 February 2005 and to report to the Governing Council at its twenty-sixth session with a view to informing discussions on the need for global action in relation to lead and cadmium;

## III

### **Mercury**

18. *Recalls* the findings of the 2002 global mercury assessment published by the United Nations Environment Programme and the Inter-Organization Programme for the Sound Management of Chemicals that mercury is a chemical of global concern owing to its long-range atmospheric transport, its persistence in the environment once anthropogenically introduced, its ability to bioaccumulate in ecosystems and its significant negative effects on human health and the environment;

19. *Acknowledges* the progress made within the United Nations Environment Programme mercury programme in providing information and data on mercury and a forum for the consideration of globally coordinated actions;

20. *Commends* the Executive Director and members of the United Nations Environment Programme Global Mercury Partnership for their progress in developing and implementing the

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19 UNEP/GC.25/INF/23.

20 UNEP/GC.25/INF/24.

21 UNEP/GC.25/INF/23/Add.1.

Partnership as a vehicle for immediate action on mercury; welcomes the progress made by the Partnership in creating an overarching framework for immediate action in the priority areas identified in decision 24/3, section IV and endorses the continued involvement of the United Nations Environment Programme in the Partnership;

21. *Notes with appreciation* the final report of the Ad Hoc Open-ended Working Group on Mercury, which reflects all views expressed, presents options and sets out, as a basis for further discussion of actions, the elements of a comprehensive mercury framework contained in the appendix to that report;<sup>22</sup>

22. *Acknowledges* the need to manage mercury in an efficient, effective and coherent manner, taking into account the Governing Council decisions on international environmental governance and the principle of common but differentiated responsibilities, as set out in Principle 7 of the Rio Declaration on Environment and Development, in addition to the other relevant Rio Declaration principles;<sup>23</sup>

23. *Also acknowledges* that some legal obligations arising out of a new global legally binding instrument will require capacity-building and technical and financial assistance in order to be effectively implemented by developing countries and countries with economies in transition;

24. *Requests* the Executive Director to undertake specific actions to continue to facilitate close cooperation and coordination among the United Nations Environment Programme mercury programme and the Global Mercury Partnership and Governments, mercury-related activities under the Strategic Approach to International Chemicals Management and its Quick Start Programme, convention secretariats, including those of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, intergovernmental organizations, non-governmental organizations and the private sector;

25. *Agrees* to further international action consisting of the elaboration of a legally binding instrument on mercury, which could include both binding and voluntary approaches, together with interim activities, to reduce risks to human health and the environment;

26. *Requests* the Executive Director to convene an intergovernmental negotiating committee with the mandate to prepare a global legally binding instrument on mercury, commencing its work in 2010 with the goal of completing it prior to the twenty-seventh regular session of the Governing Council/Global Ministerial Environment Forum, in 2013;

27. *Agrees* that the intergovernmental negotiating committee, taking into account, among other things, the principles of the Rio Declaration on Environment and Development, is to develop a comprehensive and suitable approach to mercury, including provisions:

- (a) To specify the objectives of the instrument;
- (b) To reduce the supply of mercury and enhance the capacity for its environmentally sound storage;
- (c) To reduce the demand for mercury in products and processes;
- (d) To reduce international trade in mercury;
- (e) To reduce atmospheric emissions of mercury;
- (f) To address mercury-containing waste and remediation of contaminated sites;
- (g) To increase knowledge through awareness-raising and scientific information exchange;
- (h) To specify arrangements for capacity-building and technical and financial assistance, recognizing that the ability of developing countries and countries with economies in transition to implement some legal obligations effectively under a legally binding instrument is dependent on the availability of capacity-building and technical and adequate financial assistance;

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22 Final report of the Ad Hoc Open-ended Working Group on Mercury to the Governing Council of the United Nations Environment Programme (UNEP/GC.25/5/Add.1, annex).

23 *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

- (i) To address compliance;

28. *Also agrees* that the intergovernmental negotiating committee, in its deliberations on the instrument that it develops, should consider the following

- (a) Flexibility in that some provisions could allow countries discretion in the implementation of their commitments;
- (b) Approaches tailored to the characteristics of specific sectors to allow transition periods and phased implementation for proposed actions, where appropriate;
- (c) Technical and economic availability of mercury-free alternative products and processes, recognizing the necessity of the trade in essential products for which no suitable alternatives exist and to facilitate the environmentally sound management of mercury;
- (d) Need to achieve cooperation and coordination and to avoid the unnecessary duplication of proposed actions with relevant provisions contained in other international agreements and processes;
- (e) Prioritization of the various sources of mercury releases for action, taking into account the necessity for developing countries and countries with economies in transition to achieve sustainable development;
- (f) Possible co-benefits of conventional pollutant control measures and other environmental benefits;
- (g) Efficient organization and streamlined secretariat arrangements;
- (h) Measures to address risks to human health and the environment as a consequence of anthropogenic mercury releases;
- (i) Any other aspects that the intergovernmental negotiating committee may consider relevant to mercury control;

29. *Requests* in this context the Executive Director, for the purpose of informing the work of the intergovernmental negotiating committee, to conduct a study, in consultation with the countries concerned, on various types of mercury-emitting sources, as well as current and future trends of mercury emissions, with a view to analysing and assessing the costs and the effectiveness of alternative control technologies and measures;

30. *Recognizes* that the mandate of the intergovernmental negotiating committee may be supplemented by further decisions of the Governing Council;

31. *Decides* that participation in the intergovernmental negotiating committee should be open to Member States of the United Nations and its specialized agencies to regional economic integration organizations, and also to relevant intergovernmental and non-governmental organizations, consistent with applicable United Nations rules;

32. *Requests* the Executive Director to convene an ad-hoc open-ended working group, to hold one meeting in the second half of 2009, to prepare for the work of the intergovernmental negotiating committee, in particular to discuss the negotiating priorities, timetable and organization of the intergovernmental negotiating committee;

33. *Also requests* the Executive Director to support developing countries and countries with economies in transition to participate effectively in the work of the ad hoc open-ended working group and the intergovernmental negotiating committee;

34. *Further requests* the Executive Director, coordinating as appropriate with Governments, intergovernmental organizations, stakeholders and the Global Mercury Partnership, subject to the availability of resources and concurrently with the work of the intergovernmental negotiating committee, to continue and enhance, as part of the international action on mercury, the existing work, in the following areas:

- (a) Enhancing capacity for mercury storage;
- (b) Reducing the supply of mercury from, for example, primary mercury mining;
- (c) Conducting awareness-raising and pilot projects in key countries to reduce mercury use in artisanal and small-scale gold mining;
- (d) Reducing mercury use in products and processes and raising awareness of mercury-free alternatives;

(e) Providing information on best available techniques and best environmental practices and on the conversion of mercury-based processes to non-mercury based processes;

(f) Enhancing development of national inventories on mercury;

(g) Raising public awareness and supporting risk communication;

(h) Providing information on the sound management of mercury;

35. *Urges* Governments, intergovernmental organizations, industry, non-governmental organizations and academic institutions to continue and enhance their support for the activities set out in paragraph 34 of the present decision and for the Global Mercury Partnership through the provision of technical and financial resources, such as by supporting the implementation of country-based projects that tackle mercury risk reduction and risk management;

36. *Requests* the Executive Director, in consultation with Governments, to update the 2008 report entitled “Global Atmospheric Mercury Assessment: Sources, Emissions and Transport,” for consideration by the Governing Council/Global Ministerial Environment Forum at its twenty-seventh session;

37. *Also requests* the Executive Director, as a priority action, to provide the necessary support to the intergovernmental negotiating committee, the United Nations Environment Programme mercury programme and the Global Mercury Partnership as near-term activities to address mercury;

38. *Requests* the Chemicals Branch of the United Nations Environment Programme Division of Technology, Industry and Economics to serve the ad hoc open-ended working group and the intergovernmental negotiating committee as secretariat and to prepare the analytical and summary reports necessary for its work;

## IV

### **Final provisions**

39. *Invites* Governments and others in a position to do so to provide extrabudgetary resources to help to support the implementation of the present decision;

40. *Requests* the Executive Director of the United Nations Environment Programme to present a report on progress in the implementation of the present decision to the Governing Council/Global Ministerial Environment Forum at its twenty-sixth and twenty-seventh regular sessions.

### **Decision 25/6: Long-term strategy on the engagement and involvement of young people in environmental issues**

*The Governing Council,*

*Recalling* its decision 22/18 of 9 February 2007 on civil society, and in particular, on section II on a long-term strategy on engagement and involvement of young people in environmental issues,

*Recalling also* the United Nations Environment Programme medium-term strategy for the period 2010–2013, as welcomed by its decision SS.X/3 of 22 February 2008 on the medium-term strategy for the period 2010–2013,

*Recalling further* the midterm progress review of the long-term strategy on engagement and involvement of young people in environmental issues presented to the Governing Council/Global Ministerial Environment Forum at its ninth special session, held in Dubai in February 2006,

1. *Takes note* of the report by the Executive Director containing the final report on the implementation of the long-term strategy;<sup>24</sup>

2. *Welcomes* the alignment of the activities of the second long-term strategy presented by the Executive Director in the above-mentioned report with the six cross-cutting thematic priorities of the medium-term strategy;

3. *Decides* to endorse the activities contained in the second long-term strategy;

4. *Also decides* to implement the second long-term strategy, within available resources, through the programmes of work of the United Nations Environment Programme, as approved by the Governing Council, including through regional and subregional activities;

5. *Requests* the Executive Director to seek additional extrabudgetary resources for the purpose of implementing the strategy;

6. *Invites* Governments in a position to do so to provide extrabudgetary resources, both financial and human, for the implementation of the strategy, and also invites the Executive Director to seek additional private sector funding to ensure full implementation of the strategy;

7. *Requests* the Executive Director to present a midterm progress report on the implementation of the strategy at the twenty-seventh session of the Governing Council/Global Ministerial Environment Forum, in 2013, and to present a final report thereon at the twenty-eighth session of the Governing Council/Global Ministerial Environment Forum, in 2015.

### **Decision 25/7: Omnibus decision on reports by the Executive Director**

*The Governing Council,*

*Recalling* its decisions 23/5 of 25 February 2005 and 24/6 of 9 February 2007 on small island developing States, decision 24/8 of 9 February 2007 on support to Africa in environmental management and protection and decision 24/16 on the updated water policy and strategy of the United Nations Environment Programme, section A (Freshwater) of 9 February 2007,

*Recalling also* its decision SS.X/3 of 22 February 2008 on the medium-term strategy for the period 2010–2013, which welcomes the United Nations Environment Programme medium-term strategy for the period 2010–2013 and, among other things, encourages the Executive Director to continue to strengthen results-based management in the United Nations Environment Programme,

1. *Takes note with appreciation* of the reports by the Executive Director<sup>25</sup> summarizing the activities undertaken by the United Nations Environment Programme as requested by the Governing Council at its twenty-fourth session, in February 2007, in the following areas:

- (a) Small island developing States;
- (b) Support to Africa in environmental management and protection;
- (c) Water policy and strategy of the United Nations Environment Programme;

2. *Requests* the Executive Director to continue to strengthen results-based management in the United Nations Environment Programme and, wherever possible, to provide an account of relevant activities in a results-based report to the Governing Council on the implementation of the programmes of work and budgets.

### **Decision 25/8: Waste management**

*The Governing Council,*

*Recalling* its decisions 24/5 of 9 February 2007 and SS.X/1 of 22 February 2008 on waste management,

*Recalling also* the Johannesburg Plan of Implementation of the World Summit on Sustainable Development<sup>26</sup> and internationally agreed development goals, including the Millennium Development Goals,

*Conscious* that the increased amount of wastes and the associated hazards that they pose are having a severe impact on the environment at the global, regional and local levels, on natural resources, on public health, on local economies and on living conditions, and thus threatening the attainment of internationally agreed development goals, including the Millennium Development Goals,

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25 Documents UNEP/GC.25/6, UNEP/GC.25/7 and UNEP/GC.25/9, respectively.

26 *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

*Reaffirming* that waste management is a significant issue, especially for developing countries, and that international organizations should undertake more focused and coordinated actions to fill current gaps in the support given to developing countries' efforts,

*Welcoming* the Bali Declaration on Waste Management for Human Health and Livelihood adopted by the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal at its ninth meeting, held in Bali in June 2008, which recognized that waste, if not managed in a safe and environmentally sound manner, may trigger serious consequences for the environment, human health and sustainable livelihood, and therefore reaffirmed the commitment to preventing the illegal transboundary movement of hazardous wastes, to minimizing the generation of hazardous wastes and to promoting the safe environmentally sound management of waste within each country,

*Acknowledging with appreciation* the report of the Executive Director on waste management<sup>27</sup> and the need for further implementation of its recommendations, and also the role of the International Environment Technology Centre,

*Recognizing* that stronger efforts and support for means of implementation are needed to assist Governments in developing national policy frameworks to encourage a shift from an end-of-pipe approach in waste management to an integrated waste management approach,

1. *Requests* the Executive Director to provide further assistance to developing countries in their efforts to strengthen national implementation of an integrated waste management approach through the programme of work and budget;

2. *Also requests* the Executive Director to support the implementation of the actions envisaged in the Bali Declaration on Waste Management for Human Health and Livelihood within the mandate of the United Nations Environment Programme, and within available resources as reflected in the programme of work and budget;

3. *Invites* international organizations and Governments and members of the industry and business sector to provide resources and technical assistance to developing countries, including creating a conducive environment for facilitating investment in waste management, to enable them to pursue actively integrated waste management;

4. *Requests* the Executive Director to strengthen support for capacity-building and technology support in the field of waste management, in line with the Bali Strategic Plan for Technology Support and Capacity-building, and further to undertake demonstration and pilot projects on waste management, in cooperation with relevant actors, including among others the United Nations Industrial Development Organization and the United Nations Development Programme, and within available resources as reflected in the programme of work and budget;

5. *Recommends* to the Executive Director that he propose integrated waste management as a key priority area for the United Nations "Delivering as one" initiative;

6. *Calls upon* Governments and other relevant stakeholders to strengthen public-private partnership in waste management to provide additional means for assisting developing countries to implement the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, including for the construction of the necessary facilities and infrastructure in waste management;

7. *Recognizes* the need for more intensive awareness-raising designed to change the attitude of waste generators, particularly industrial and municipal waste generators, consumers and the informal sector with regard to the "3Rs" concept (reduce, reuse and recycle), environmentally sound waste management and, where appropriate, the need for final disposal of wastes in the States in which they were generated;

8. *Invites* Governments and relevant organizations to provide extrabudgetary resources for the implementation of the present decision in supporting the United Nations Environment Programme and other entities including the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in its programmes and activities;

9. *Invites* the conferences of the parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and other relevant multilateral environmental agreements, the United Nations Human Settlements Programme, the United Nations

Development Programme and other relevant United Nations bodies, international institutions, forums and processes to consider further actions regarding waste management, taking into account the recommendations and the description of the outcome of cooperation with other bodies contained in the report by the Executive Director, and to inform the Governing Council, through the Executive Director, on the outcome of their consideration;

10. *Requests the Executive Director to forward his report on waste management<sup>28</sup> to the entities referred to in paragraph 9 above;*

11. *Also requests the Executive Director to report on progress in the implementation of the present decision to the Governing Council at its twenty-sixth session.*

## **Decision 25/9: South-South cooperation in achieving sustainable development**

*The Governing Council,*

*Recalling its decision 24/12 on South-South cooperation in achieving sustainable development,*

*Recalling also decision SS.X/3 on the United Nations Environment Programme medium-term strategy 2010–2013, and welcoming the medium-term strategy, in particular to enhance delivery of the Bali Strategic Plan for Technology Support and Capacity-building,*

*Stressing the particular importance of South-North cooperation and the complementary role of South-South cooperation in the field of sustainable development,*

*Recognizing that the Bali Strategic Plan underscores the importance of South-South cooperation and stresses the need to intensify efforts directed towards capacity-building, including through the exchange of expertise, experiences, information and documentation, to develop human resources and strengthen the institutions of the South,*

*Underscoring the use of South-South cooperation approaches in attaining international agreed development goals, including the Millennium Development Goals,*

*Emphasizing the need to intensify multilateral support for South-South initiatives to tackle common environmental challenges,*

*Acknowledging the need to enhance the coherence of support within the United Nations system to South-South cooperation, inter-agency collaboration, joint programming and the documentation of lessons learned and good practices,*

*Acknowledging with appreciation the report by the Executive Director on South-South cooperation and the relevant activities implemented to date,*

*Stressing the need to continue to develop innovative mechanisms to mobilize resources for South-South and triangular cooperation initiatives,*

1. *Requests the Executive Director to build on the current work and follow-up activities on South-South cooperation and to broaden external consultations to develop strategic partnerships and alliances in support of capacity-building and technology support activities using South-South cooperation arrangements;*

2. *Also requests the Executive Director to develop further and refine the existing strategic and operational guidelines and also to develop a policy guidance for the coherent and coordinated implementation of South-South cooperation approaches across the programme of work of the United Nations Environment Programme;*

3. *Further requests the Executive Director to deepen the cooperation of the United Nations Environment Programme with related United Nations agencies, regions, subregions and existing South-South cooperation initiatives to develop joint activities and synergies of capacity in advancing South-South cooperation in support of capacity-building and technology support in the context of the Bali Strategic Plan and as reflected in the medium-term strategy 2010–2013,*

4. *Requests the Executive Director to initiate efforts towards establishing formal cooperation arrangements with existing mechanisms and centres of excellence active in South-South cooperation, such as the Non-Aligned Movement Centre for South-South Technical Cooperation, to foster cooperation in the field of the environment;*

5. *Urges* the Executive Director to strengthen the United Nations Environment Programme coordination mechanism and structure for South-South cooperation, including its regional presence, with a view to enhancing its role and function;

6. *Invites* Governments and other relevant organizations to provide the necessary adequate resources for the work of the United Nations Environment Programme in South-South cooperation and encourages the Executive Director to develop further and implement high-profile demonstrable projects in South-South cooperation in the field of the environment;

7. *Requests* the Executive Director to contribute to the Secretary-General's report to the forthcoming high-level United Nations conference on South-South cooperation and to participate in that Conference;

8. *Also requests* the Executive Director to present a report on the progress in implementing the present decision to the Governing Council/Global Ministerial Environment Forum at its twenty-sixth session.

## **Decision 25/10: Intergovernmental science-policy platform on biodiversity and ecosystem services**

*The Governing Council,*

*Recalling* its main functions and responsibilities set out in General Assembly resolution 2997 (XXVII) of 15 December 1972, under which the Governing Council is, among other things, to promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information and, as appropriate, to the technical aspects of the formation and implementation of environmental programmes within the United Nations system,

*Recalling also* the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme<sup>29</sup> and the Malmö Ministerial Declaration,<sup>30</sup>

*Noting* the Millennium Ecosystem Assessment and its follow-up process, the consultative process towards an international mechanism of scientific expertise on biodiversity and decision IX/15 of the Conference of the Parties to the Convention on Biological Diversity,

*Noting also* the outcomes of the ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services held in Putrajaya, Malaysia, from 10 to 12 November 2008,

*Expressing its appreciation* to the Government of Malaysia for hosting that meeting,

*Recognizing* and emphasizing the need to strengthen and improve the science-policy interface for biodiversity and ecosystem services for human well-being and sustainable development at all levels,

*Taking note* of the preliminary report on the gap analysis carried out by the United Nations Environment Programme to facilitate further discussions on the improvement of the science-policy interface on biodiversity and ecosystem services for human well-being,<sup>31</sup>

*Having considered* the report by the Executive Director,<sup>32</sup>

1. *Invites* Governments and relevant organizations to continue to explore mechanisms to improve the science-policy interface for biodiversity and ecosystem services for the conservation and sustainable use of biodiversity, long-term human well-being and sustainable development, taking into account the special need to develop and maintain the technical and scientific capacity of developing countries in biodiversity-related issues;

2. *Requests* the Executive Director to undertake a further process to support efforts by Governments and relevant organizations to explore mechanisms to improve and to strengthen the science-policy interface for biodiversity and ecosystem services for the conservation and sustainable use

<sup>29</sup> Governing Council decision 19/1, annex. Adoption by the General Assembly: Official Records of the General Assembly, Fiftieth Session, Supplement No. 25 (A/50/25), chap. IV, annex.

<sup>30</sup> Governing Council decision SS.VI/I, annex.

<sup>31</sup> UNEP/GC.25/INF/30.

<sup>32</sup> UNEP/GC.25/15.

of biodiversity, long-term human well-being and sustainable development, aiming to report on its progress at the special session on biodiversity of the sixty-fifth session of the General Assembly and other relevant meetings;

3. *Also requests* the Executive Director to convene, for the purpose indicated in paragraph 2, a second intergovernmental and multi-stakeholder meeting at the earliest possible convenience in 2009 following completion of the full gap analysis on exploring mechanisms to improve the science-policy interface for the conservation and sustainable use of biodiversity, long-term human well-being and sustainable development, subject to the availability of extrabudgetary resources;

4. *Invites* Governments and organizations in a position to do so to provide extrabudgetary resources for the above-mentioned process.

## **Decision 25/11: Environmental law**

### **I**

#### **Fourth Programme for the Development and Periodic Review of Environmental Law**

*The Governing Council,*

*Recalling* its decision 21/23 of 9 February 2001 on the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-First Century,

*Recalling also* the mandate of the United Nations Environment Programme in the field of the environment as reflected in Agenda 21,<sup>33</sup> the Nairobi Declaration on the Role and Mandate of the United Nations Environment Programme, the Malmö Ministerial Declaration<sup>34</sup> and the Programme for the Further Implementation of Agenda 21 adopted by the General Assembly in resolution S-19/2 on the Programme for the Further Implementation of Agenda 21,

*Recalling further* the Plan of Implementation of the World Summit on Sustainable Development,<sup>35</sup> which emphasized the need for full implementation of decision SS.VII/1 on international environmental governance of 15 February 2002,

*Recalling* that the United Nations Environment Programme was to prepare a fourth programme for the development and periodic review of environmental law,<sup>36</sup>

*Having considered* the outcome of the meeting of senior government officials expert in environmental law held in Nairobi from 29 September to 3 October 2008 to prepare a fourth programme for the development and periodic review of environmental law,

1. *Adopts* the fourth Programme for the Development and Periodic Review of Environmental Law, as set out in annex I to the report of the meeting of senior government officials expert in environmental law to prepare a fourth programme for the development and periodic review of environmental law,<sup>37</sup> as a broad strategy for the international law community and the United Nations Environment Programme in formulating the activities in the field of environmental law for the decade commencing in 2010;

2. *Requests* the Executive Director to implement the programme, subject to the availability of resources, in a manner fully consistent with the programmes of work of the United Nations Environment Programme, as approved by the Governing Council and for the period 2010–2013 taking into account the United Nations Environment Programme medium-term strategy;

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33 *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex II.

34 Governing Council decision SS.VI/I, annex.

35 *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

36 A/63/6 and UNEP/Env.Law/MTV4/IG/1/4.

37 UNEP/Env.Law/MTV4/IG/2/2, reproduced as document UNEP/GC.25/INF/15.

3. *Also requests* the Executive Director to implement the programme in close collaboration with States, conferences of the Parties to and secretariats of multilateral environmental agreements, other international organizations, non-State stakeholders and individuals, while fully respecting the mandate of multilateral environmental agreements;

4. *Further requests* the Executive Director to undertake a midterm review of the implementation and effectiveness of the Programme no later than at the twenty-eighth session of the Governing Council in 2015 and to report at the thirtieth session in 2019 on the impact of the Programme.

## II

### **Draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters**

*The Governing Council,*

*Recalling* principle 10 of the Rio Declaration on Environment and Development,<sup>38</sup> the Malmö Ministerial Declaration,<sup>39</sup> and its decisions 20/4 of 4 February 1999, 20/6 of 5 February 1999, 21/24 of 9 February 2001 and 22/17 of 7 February 2003,

*Recalling also* the report of the Executive Director prepared in pursuance of decision 20/4 on the law and practice relating to access to information on the environment, public participation in processes leading to decision-making and access to judicial and administrative procedures relating to environmental matters, and the report on international instruments reflecting principle 10 of the Rio Declaration on Environment and Development, prepared in pursuance of decision 21/24, as presented to the Governing Council/Global Ministerial Environment Forum at its seventh special session,<sup>40</sup>

*Taking note* of the Plan of Implementation of the World Summit on Sustainable Development, in particular paragraphs 162–167,<sup>41</sup>

*Recognizing* that access to environmental information enhances the transparency of environmental governance and that it is a prerequisite for effective public participation in environmental decision-making, that public participation in environmental decision-making generally improves decision-making and enhances its legitimacy, and that access to justice in environmental matters provides a means to permit affected parties to gain redress and to assist in the implementation and enforcement of legislation related to the environment,

*Noting* recent developments at the national, regional and international levels, including the tenth anniversary of the adoption of the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, in the application of Principle 10 of the Rio Declaration on Environment and Development,

*Noting with appreciation* the outcomes of the high-level advisory meeting on environmental dispute avoidance and settlement, organized in partnership with the Permanent Court of Arbitration, in The Hague on 2 and 3 November 2006 and the work of, among others, the senior high-level experts and high-level judges involved in the development of the draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters,

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38 Principle 10 of the Declaration reads as follows: “Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided”.

39 Governing Council decision SS.VI/I, annex, para. 16, reads as follows: “The role of civil society at all levels should be strengthened through freedom of access to environmental information to all, broad participation in environmental decision-making, as well as access to justice on environmental issues. Governments should promote conditions to facilitate the ability of all parts of society to have a voice and to play an active role in creating a sustainable future”.

40 UNEP/GCSS.VII/INF/7.

41 *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication Sales No. E.03.II.A.1) chap. I resolution 2, annex.

*Noting also with appreciation* the outcomes of the consultative meeting of government officials and experts to review and further develop draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, held in Nairobi on 20 and 21 June 2008,<sup>42</sup>

1. *Takes note* of the draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters;<sup>43</sup>

2. *Requests* the secretariat to carry out further work on the guidelines with a view to their adoption by the Governing Council/Global Ministerial Environment Forum at its next special session.

### III

#### **Draft guidelines for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment**

*The Governing Council,*

*Recalling* principle 13 of the Rio Declaration on Environment and Development,<sup>44</sup> which stipulates that “States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage”,

*Recalling also* that the United Nations Environment Programme was requested to assist in this process by the Montevideo Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-First Century, which, when adopted by the Governing Council of the United Nations Environment Programme in 2001 by decision 21/23, incorporated special programme area 3 on prevention and mitigation of environmental damage and called for the strengthening and development of environmental law, including issues on liability and compensation for environmental damage, and promoting the use of effective civil liability mechanisms to encourage compliance with environmental law,

*Recognizing* that the existence of national legislation on liability and compensation for environmental damage resulting from human activities has been largely recognized as a significant element for the protection of the environment,

*Noting* that the recent developments at the international level under the auspices of various bodies, such as the International Maritime Organization, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and the Convention on Biological Diversity are mostly limited to specific areas,

*Noting with appreciation* the outcomes of the two meetings of United Nations Environment Programme high-level advisory expert group on liability and compensation for environmental damage held in Geneva on 16 and 17 January 2007 and 31 October–2 November 2007, respectively,

*Noting also with appreciation* the outcomes of the consultative meeting of government officials and experts, at which participants reviewed and further developed the draft guidelines for the development of national legislation on liability, redress and compensation for damage caused by activities dangerous to the environment, held in Nairobi on 18 and 19 June 2008,<sup>45</sup>

1. *Takes note* of the draft guidelines for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment;<sup>46</sup>

2. *Requests* the secretariat to carry out further work on the guidelines with a view to adoption by the Governing Council/Global Ministerial Environment Forum at its next special session.

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42 UNEP/Env.Law/CM.Acc/1/2.

43 Document UNEP/GC.25/INF/15/Add.2, annex.

44 *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

45 UNEP/Env.Law/CM/1/2.

46 Document UNEP/GC.25/INF/15/Add.3, annex I.

## **Decision 25/12: Environmental situation in the Gaza Strip**

*The Governing Council,*

*Recalling decision GCSS.VII/7 of 15 February 2002 on the environmental situation in the occupied Palestinian territories,*

*Recalling also the desk study on the environment in the occupied Palestinian territories published by the United Nations Environment Programme in 2003<sup>47</sup> and the environmental assessment of the areas disengaged by Israel in the Gaza Strip issued by the United Nations Environment Programme in 2006,<sup>48</sup>*

*Noting with appreciation the participation of the United Nations Environment Programme in the United Nations-led early recovery rapid needs assessment mission carried out from 25 January to 4 February 2009,*

*Emphasizing the need for States to protect and preserve the environment in accordance with their international legal obligations,*

*Taking into account the 1992 Rio Declaration on Environment and Development<sup>49</sup> and all its relevant principles,*

*Expressing its deep concern at the negative implications of the environmental impacts on the Gaza Strip caused by the escalation of violence and hostilities during December 2008 and January 2009,*

*Expressing great concern about the environment in the Gaza Strip,*

1. *Requests* the United Nations Environment Programme to participate in the March 2009 Cairo conference on the reconstruction of Gaza, at which the report entitled “Gaza Early Recovery Rapid Needs Assessment” will be presented;

2. *Requests* the Executive Director of the United Nations Environment Programme to deploy immediately thereafter a mission of environmental experts to Gaza in coordination with other relevant international organizations to assess the impacts on the natural resources and environment of the Gaza Strip caused by the escalation of violence and hostilities; to carry out an economic evaluation of the rehabilitation and restoration of the environmental damage; and to report to the Secretary-General thereon;

3. *Also requests* the Executive Director of the United Nations Environment Programme to initiate and facilitate the implementation of the recommendations made in the desk study on the environment in the occupied Palestinian Territories published by the United Nations Environment Programme in 2003 and the environmental assessment of the areas disengaged by Israel in the Gaza Strip issued by the United Nations Environment Programme in 2006;

4. *Calls upon* the parties concerned to protect the environment as a matter of mutual interest in the region;

5. *Calls upon* member States and United Nations agencies to allocate adequate resources and provide technical, logistical and financial support and assistance to ensure the success of the United Nations Environment Programme mission of environmental experts to the Gaza Strip; and to implement the recommendations of the above-mentioned United Nations Environment Programme studies;

6. *Requests* the Executive Director of the United Nations Environment Programme to submit a follow-up report on the findings, results and recommendations to the Governing Council/Global Ministerial Environment Forum at its eleventh special session, in 2010.

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47 [http://www.unep.org/download\\_file.multilingual.asp?FileID=105](http://www.unep.org/download_file.multilingual.asp?FileID=105).

48 [http://postconflict.unep.ch/publications/UNEP\\_Gaza\\_web.pdf](http://postconflict.unep.ch/publications/UNEP_Gaza_web.pdf).

49 *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

**Decision 25/13: Proposed biennial programme and support budgets for the biennium 2010-2011**

*The Governing Council,*

*Having considered* the proposed biennial programme and support budgets for 2010–2011<sup>50</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>51</sup>

1. *Approves* the programme of work for the biennium 2010–2011 taking into account the relevant decisions of the Governing Council;
2. *Also approves* appropriations for the Environment Fund in the amount of 180 million United States dollars for the purposes indicated in the following table:

<b>2010 – 2011 biennial programme and support budgets (in thousands of United States dollars)</b>	
<b>Programme of work and thematic subprogramme</b>	<b>Proposed budget</b>
Climate change	28 767
Disaster and conflicts	10 087
Ecosystem management	33 987
Environmental governance	40 229
Harmful substances and hazardous waste	17 985
Resource efficiency	24 945
<b>Fund programme activities</b>	<b>156 000</b>
Fund programme reserve	6 000
<b>Total programme resources</b>	<b>162 000</b>
Support budget	18 000
<b>Grand total</b>	<b>180 000</b>

3. *Welcomes* the extensive consultations that have taken place between the Executive Director and the Committee of Permanent Representatives on the preparation of the draft programme of work and budgets for the biennium 2010–2011 and requests the Executive Director to hold such consultations for the preparation of all future biennial budgets and programmes of work;

4. *Also welcomes*, and encourages continued, transparency and the sharing of detailed information as it becomes available in the process of developing activities by the United Nations Environment Programme to support the programme of work for the biennium 2010–2011;

5. *Approves* the proposed staffing tables under the Environment Fund biennial support budget for 2010–2011 as set forth in part III of the present decision;

6. *Authorizes* the Executive Director, with a view to ensuring better conformity with the practices in other United Nations bodies, to reallocate resources among budget lines up to a maximum of 10 per cent of the appropriation to which the resources are to be reallocated;

7. *Also authorizes* that, should the Executive Director need to reallocate funds in excess of 10 per cent and up to 20 per cent of an appropriation, he does so in consultation with the Committee of Permanent Representatives;

50 UNEP/GC.25/12.

51 UNEP/GC.25/12/Add.1.

8. *Further authorizes* the Executive Director to enter into forward commitments not exceeding 20 million United States dollars for Environment Fund programme activities for the biennium 2012–2013;

9. *Requests* the Executive Director to continue shifting emphasis from delivery of outputs to achievement of results, ensuring that United Nations Environment Programme managers at all levels take responsibility for the achievement of programme objectives and the efficient and transparent use of resources to that end, subject to United Nations processes of review, evaluation and oversight;

10. *Also requests* the Executive Director to continue consultations with Member States as he further develops the process to implement the programme of work and budgets for the biennium 2010–2011, and to provide Member States, through the Committee of Permanent Representatives, with a document containing additional information on internal prioritization at the expected accomplishment level within each subprogramme of the programme of work for the biennium 2010–2011 prior to its implementation, and to include such information in future programmes of work;

11. *Further requests* the Executive Director to report to Governments, through the Committee of Permanent Representatives, on a half-yearly basis, and to the Governing Council at its regular and special sessions on the progress made by each of the subprogrammes and their relevant expected accomplishments, and on the execution of United Nations Environment Programme budgets including voluntary contributions and expenditures, and reallocations of the appropriations or adjustments of the allocations;

12. *Requests* the Executive Director to ensure that earmarked contributions to the United Nations Environment Programme, apart from those for which the United Nations Environment Programme merely acts as treasurer, are used to fund activities which are in line with the programme of work;

13. *Calls for* an allocation of an appropriate share of the United Nations regular budget to the United Nations Environment Programme;

14. *Reiterates* the need for stable, adequate and predictable financial resources for the United Nations Environment Programme and, in accordance with General Assembly resolution 2997 (XXVII) of 15 December 1972, which underlined the need to consider the adequate reflection of all the administrative and management costs of the Environment Programme in the context of the United Nations regular budget, looks forward to the implementation of the requests of the General Assembly to the United Nations Secretary-General to keep the resource needs of the United Nations Environment Programme and the United Nations Office at Nairobi under review, so as to permit the delivery, in an effective manner, of necessary services to the United Nations Environment Programme and the other United Nations organs and organizations in Nairobi;

15. *Requests* the Executive Director to prepare, in consultation with the Committee of Permanent Representatives, for the biennium 2012–2013 a programme of work consisting of Environment Fund programme activities, giving appropriate consideration to the current progress and respective future prioritization of each subprogramme;

16. *Also requests* the Executive Director to continue submitting, in consultation with the Committee of Permanent Representatives, a prioritized, results-oriented and streamlined programme of work and budgets for the biennium 2012–2013 for consideration and approval by the Governing Council at its twenty-sixth session;

17. *Further requests* the Executive Director to include in the draft programme of work and budgets for the biennium 2012–2013, to the extent possible, information that links divisional resources to subprogrammes;

18. *Approves* the recommendation by the Executive Director that the outstanding pledges for the period 2003–2004 should not be regarded as assets for accounting purposes.

#### **Decision 25/14: Management of trust funds and earmarked contributions**

*The Governing Council,*

*Having considered* the report of the Executive Director on the management of trust funds,

**A. Trust funds in support of the United Nations Environment Programme programme of work:**

1. *Notes* and approves the establishment of the following trust funds since the twenty-fourth session of the Governing Council:

**1. Technical cooperation trust funds:**

- (i) **CIL** – Technical Cooperation Trust Fund to Support the Implementation of the Strategic Plan for Remediation Activities Following Toxic Waste Incident in Abidjan, Côte d'Ivoire, which was established in 2007 with an expiry date of 31 December 2009;
- (ii) **IEL** – Technical Cooperation Trust Fund for Priority Projects to improve the Environment in the Democratic People's Republic of Korea (financed by the Republic of Korea), which was established in 2007 with an expiry date of 31 December 2012;
- (iii) **MDL** – Technical Cooperation Trust Fund for UNEP's Implementation of the Millennium Development Goals Achievement Fund, which was established in 2007 with an expiry date of 31 December 2011;
- (iv) **PML** – Technical Cooperation Trust Fund for the Implementation of Memorandum of Cooperation between UNEP and the Government of Portugal (financed by the Government of Portugal), which was established in 2007 with no expiry date;

2. *Approves* the extensions of the following trust funds subject to the Executive Director of the United Nations Environment Programme receiving requests to do so from the relevant Governments or donors:

**2. General trust funds:**

- (i) **AML** – General Trust Fund for the African Ministerial Conference on the Environment (AMCEN), which is extended through 31 December 2011;
- (ii) **CWL** – General Trust Fund for the African Ministers' Council on Water (AMCOW), which is extended through 31 December 2011;
- (iii) **ETL** – Trust Fund for the Environmental Training Network in Latin America and the Caribbean, with no fixed expiry date;
- (iv) **MCL** – General Trust Fund in support of Activities on Mercury and its Compounds, which is extended through 31 December 2011; and
- (v) **WPL** – General Trust Fund to provide Support to the Global Environment Monitoring System/Water Programme Office and to Promote its Activities, which is extended through 31 December 2011.

**3. Technical cooperation trust funds:**

- (i) **BPL** – Technical Cooperation Trust Fund for the Implementation of the Agreement with Belgium (financed by the Government of Belgium), which is extended through 31 December 2011;
- (ii) **CIL** – Technical Cooperation Trust Fund to Support the Implementation of the Strategic Plan for Remediation Activities Following Toxic Waste Incident in Abidjan, Côte d'Ivoire, which is extended through 31 December 2012;
- (iii) **GWL** – Technical Cooperation Trust Fund for the Provision of Support to the Global International Global Waters Projects (financed by the Government of Finland), which is extended through 31 December 2011;
- (iv) **IAL** – Technical Cooperation Trust Fund for Ireland Aid Multilateral Environment Fund for Africa (financed by the Government of Ireland), which is extended through 31 December 2013;
- (v) **REL** – Technical Cooperation Trust Fund for the Promotion of Renewable Energy in the Mediterranean Region (financed by the Government of Italy), which is extended through 31 December 2011;

- (vi) **SEL** – Technical Cooperation Trust Fund for the Implementation of the Agreement with Sweden, which is extended through 31 December 2012;
- (vii) **TCL** – Technical Cooperation Trust Fund for the Provision of Junior Professional Officers (financed by the Nordic Governments through the Government of Sweden), with no fixed expiry date;

3. *Also approves* the closure of the following trust funds by the Executive Director subject to completion of their activities and clearance of all financial implications:

#### **4. General trust fund:**

**YPL** – General Trust Fund for a Long-Term Strategy for Engaging and Increasing Participation of Youth in Environmental Issues and Activities – Tunza Fund;

### **B. Trust Funds in support of regional seas programmes, conventions, protocols and special funds:**

4. *Notes* and approves the establishment of the following trust funds since the twenty-fourth session of the Governing Council:

#### **1. General trust fund:**

**SRL** – General Trust Fund for Voluntary Contributions in respect of the United Nations Scientific Committee on Effects of Atomic Radiation (UNSCEAR), which was established in 2007 with no fixed expiry date;

5. *Approves* the extensions of the following trust funds subject to the Executive Director of the United Nations Environment Programme receiving requests to do so from the relevant Governments or contracting parties:

#### **2. General trust funds:**

- (i) **AVL** – General Trust Fund for Voluntary Contribution in respect of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds, which is extended through 31 December 2012;
- (ii) **AWL** – General Trust Fund for the African-Eurasian Waterbirds, which is extended through 31 December 2012;
- (iii) **BAL** – General Trust Fund for the Conservation of Small Cetaceans of the Baltics and North Seas (ASCOBANS), which is extended through 31 December 2012;
- (iv) **BCL** – Trust Fund for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which is extended through 31 December 2013;
- (v) **BDL** – Trust Fund to Assist Developing Countries and other Countries in Need of Technical Assistance in the Implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, which is extended through 31 December 2013;
- (vi) **BEL** – General Trust Fund for Additional Voluntary Contributions in Support of Approved Activities under the Convention on Biological Diversity, which is extended through 31 December 2011;
- (vii) **BGL** – General Trust Fund for the Core Programme Budget for the Biosafety Protocol, which is extended through 31 December 2011;
- (viii) **BHL** – Special Voluntary Trust Fund for Additional Voluntary Contributions in Support of Approved Activities of the Biosafety Protocol, which is extended through 31 December 2011;
- (ix) **BTB** – General Trust Fund for the Conservation of European Bats (EUROBATS), which is extended through 31 December 2014;
- (x) **BYL** – General Trust Fund for the Convention on Biological Diversity, which is extended through 31 December 2011;

- (xi) **BZL** – General Trust Fund for Voluntary Contributions to Facilitate the Participation of Parties in the Process of the Convention on Biological Diversity, which is extended through 31 December 2011;
- (xii) **CRL** – Regional Trust Fund for the Implementation of the Action Plan for the Caribbean Environment Programme, which is extended through 31 December 2011;
- (xiii) **ESL** – Regional Trust Fund for the Implementation of the Action Plan for the Protection and Development of the Marine Environment and Coastal Areas of East Asian Seas, which is extended through 31 December 2011;
- (xiv) **MEL** – Trust Fund for the Protection of the Mediterranean Sea against Pollution, which is extended through 31 December 2011;
- (xv) **MPL** – Trust Fund for the Montreal Protocol on Substances that Deplete the Ozone Layer, which is extended through 31 December 2015;
- (xvi) **MSL** – Trust Fund for the Convention on Conservation of Migratory Species of Wild Animals, which is extended through 31 December 2011;
- (xvii) **MVL** – General Trust Fund for Voluntary Contributions in Support of the Convention on the Conservation of Migratory Species of Wild Animals, which is extended through 31 December 2011;
- (xviii) **PNL** – General Trust Fund for the Protection, Management and Development of the Coastal and Marine Environment and the Resources of the Northwest Pacific Region, which is extended through 31 December 2011;
- (xix) **ROL** – General Trust Fund for the Operational Budget of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which is extended through 31 December 2011;
- (xx) **VCL** – Trust Fund for the Vienna Convention for the Protection of the Ozone Layer, which is extended through 31 December 2015;

### **3. Technical cooperation trust funds:**

- (i) **BIL** – Special Voluntary Trust Fund for Voluntary Contributions to Facilitate the Participation of Parties, in particular the Least Developed and the Small Island Developing States among Them, and Parties with Economies in Transition (Biosafety Protocol), which is extended through 31 December 2011;
- (ii) **RVL** – Special Trust fund for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which is extended through 31 December 2011;
- (iii) **VBL** – Voluntary Trust Fund to Facilitate the Participation of Indigenous and Local Communities in the work of Convention on Biological Diversity, which is extended through 31 December 2011.

### **Decision 25/15: Supplementary budget**

*The Governing Council,*

*Recalling* its decision 24/9, which approved the programme of work and budget for the biennium 2008–2009 in the amount of 152 million United States dollars;

*Taking note* of the latest resources projections under the Environment Fund for the biennium 2008–2009, which estimate available resources to reach 176 million United States dollars;

*Having considered* the proposed supplementary programme of work and budget for 2008–2009<sup>52</sup> and the related report of the Advisory Committee on Administrative and Budgetary Questions,<sup>53</sup>

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52 UNEP/GC.25/14.

53 UNEP/GC.25/12/Add.1.

1. Approves the supplementary programme of work for the biennium 2008–2009 taking into account the relevant decisions of the Governing Council;
2. Also approves appropriations for the Environment Fund in the amount of 171 million United States dollars for the purposes indicated in the following table:<sup>54</sup>

<b>2008 – 2009 biennial programme and support budget</b> (in thousands of United States dollars)	
<b>Programme of work</b>	<b>Proposed budget</b>
Environmental assessment and early warning	28 150
Environmental law and conventions	14 859
Policy implementation	21 382
Technology, industry and economics	30 944
Regional cooperation	42 229
Communication and public information	9 636
<b>Fund programme activities</b>	<b>147 200</b>
Fund programme reserve	6 900
<b>Total programme resources</b>	<b>154 100</b>
Support budget	16 900
<b>Grand total</b>	<b>171 000</b>

3. Authorizes the Executive Director to increase the financial reserve by up to 5 million United States dollars in line with previous decisions of the Governing Council;
4. Decides that all other provisions of decision 24/9 with regard to the management of funds and the reporting on the implementation of the programme by the Executive Director remain unaltered.

### **Decision 25/16: Support to Africa in environmental management and protection**

*The Governing Council,*

*Recalling* Governing Council decision 24/8 of 9 February 2007 on support to Africa in environmental management and protection,

*Recalling also* the outcomes of major United Nations conferences and summits, African Union summits and related African meetings in which the special challenges facing Africa have been identified and commitments made to support Africa in achieving sustainable development,

*Recalling further* decisions of the Governing Council/Global Ministerial Environment Forum and United Nations General Assembly resolutions on the specific needs of Africa,

*Recalling* the decisions of the twelfth session of the African Ministerial Conference on the Environment on enhancing the implementation of the environmental action plan of the New Partnership for Africa's Development, particularly the decision on climate change,

*Aware* of the serious environmental challenges facing Africa as articulated in both the *Africa Environment Outlook* report and the publication *Africa: Atlas of Our Changing Environment*, together with the increasing vulnerability of the continent to climate change, expanding land degradation, water quality and scarcity, ecosystem degradation, plight of endangered species, deforestation and other environmental challenges facing the region,

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<sup>54</sup> The amount of the supplementary fund allocated to each of the subprogrammes is set out in document UNEP/GC.25/14.

*Aware also of the pressing need to strengthen Africa's regional environmental governance through coherent policy review analysis, development and capacity-building,*

*Aware further of the pressing need for continued strong support by the United Nations Environment Programme to the African Union regional ministerial bodies, such as the African Ministerial Conference on the Environment, the African Ministers' Council on Water, the Forum of Energy Ministers of Africa and the African Ministerial Council on Science and Technology,*

*Aware of the acute need to strengthen existing regional environmental agreements,*

*Aware also of the need to continue to strengthen the strategic role of the United Nations Environment Programme in the work of the five African subregional economic communities, all of which have developed subregional environmental programmes or subregional environmental action plans within the framework of the environment initiative of the New Partnership for Africa's Development, and aware that there are also subregional ministerial bodies on the environment in each of the subregions,*

*Expressing appreciation to the Executive Director for the commendable measures taken to date in strengthening the presence of the United Nations Environment Programme in Africa and to add momentum to relevant pan-African mechanisms, such as the African Union Authority and its specialized technical committees, notably the African Ministerial Conference on the Environment and the African Ministers' Council on Water, and to strengthen the engagement of the United Nations Environment Programme with the New Partnership for Africa's Development,*

*Noting the decision by the African Union Authority to transform formally the African Ministerial Conference on the Environment and the African Ministers' Council on Water into specialized technical committees,*

1. *Requests the Executive Director, within the context of the approved programme of work and budget for the biennium 2010–2011 and the medium-term strategy for the period 2010–2013:*

- (a) *To continue extending implementation and institutional support to the New Partnership for Africa's Development, including the subregional environmental action plans;*
- (b) *To strengthen effectively the Africa Environment Outlook process as a tool for monitoring environmental challenges and sustainable development in Africa and as a framework for environmental reporting at the national and subregional levels;*
- (c) *To support the implementation of the medium-term strategy for the period 2010–2013 through the programme of work in a more coordinated and coherent manner for greater impact in Africa and continue to seek extrabudgetary funding therefor;*
- (d) *To work closely with the African Union Authority, the regional economic communities, the secretariat of the New Partnership for Africa's Development and other partners to enhance the strategic role of the United Nations Environment Programme within the framework of the "Delivering as one" approach;*
- (e) *To continue to enhance the capacity of the regional office for Africa in the context of the Bali Strategic Plan for Technology Support and Capacity-building to lead the delivery of the programme of work of the United Nations Environment Programme in Africa;*
- (f) *To work with the United Nations Economic Commission for Africa in providing the requisite technical support to the African climate policy centre, once established, to promote the mainstreaming of climate change into social and economic development and planning processes;*
- (g) *To collaborate with African development partners and the African Union Authority to assist and support African countries in the strengthening and implementation of regional environmental agreements;*
- (h) *To strengthen working relationships with the specialized technical committees of the African Union, particularly the technical committees responsible for agriculture, rural economy and water and environment, to facilitate the mainstreaming of the environment into the work of the African Union Authority;*
- (i) *To continue supporting the African Ministerial Conference on the Environment and the African Ministers' Council on Water in the implementation of their work programmes;*
- (j) *To continue mobilizing financial resources to build the capacity of African countries in integrated and harmonized assessment and reporting, including environmental data and information management;*

(k) To continue to support the use of, and to update as appropriate, the publication *Africa: Atlas of our Changing Environment*, and the underlying data, as a tool for policy decision-making, and to assist countries in developing capacities to produce their own national atlases;

(l) To continue to provide support to African countries to strengthen their capacity to mainstream technology-supported learning to enhance the delivery of environmental education and training programmes;

2. *Also requests* the Executive Director to report on the implementation of the present decision, as part of the reporting on the programme of work and budgets, to the Governing Council at its twenty-sixth session.

**Decision 25/17: Provisional agendas, dates and venues for the eleventh special session of the Governing Council/Global Ministerial Environment Forum and the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum**

*The Governing Council,*

*Recalling* General Assembly resolutions 2997 (XXVII) of 15 December 1972 and 53/242 of 28 July 1999,

*Recalling also* General Assembly resolutions 47/202 A (paragraph 17) of 22 December 1992, 54/248 of 23 December 1999, 56/242 of 24 December 2001, 57/283 B (paragraphs 9–11 of section II) of 15 April 2003, 61/236 (paragraph 9 of section II A) of 22 December 2006, 62/225 (paragraph 9 of section II A) of 22 December 2007 and 63/248 (paragraph 9 of section II A) of 24 December 2008,

*Recalling further* its own decision SS.VII/1 of 15 February 2002,

## I

**Eleventh special session of the Governing Council/Global Ministerial Environment Forum**

1. *Decides* to hold the eleventh special session of the Governing Council/Global Ministerial Environment Forum in 2010;<sup>55</sup>

2. *Approves* the following provisional agenda for the eleventh special session of the Governing Council/Global Ministerial Environment Forum:

1. Opening of the session.
2. Organization of work.
  - (a) Adoption of the agenda;
  - (b) Organization of work.
3. Credentials of representatives.
4. Emerging policy issues: Environment in the multilateral system.
5. Other matters.
6. Adoption of the report.
7. Closure of the session.

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55 The dates and venue of the eleventh special session of the Governing Council/Global Ministerial Environment Forum will be decided in consultation with the Bureau of the Governing Council and the Member States.

**II**

**Twenty-sixth session of the Governing Council/Global Ministerial Environment Forum**

3. *Decides* that, in accordance with rules 1, 2 and 4 of its rules of procedure, the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum shall be held in Nairobi in 2011;<sup>56</sup>

4. *Decides also* that informal consultations between heads of delegations should be held on the afternoon of the day before the opening of the twenty-sixth session;

5. *Approves* the following provisional agenda for the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum:

1. Opening of the session.
2. Organization of work:
  - (a) Election of officers;
  - (b) Adoption of the agenda and organization of work.
3. Credentials of representatives.
4. Policy issues:
  - (a) State of the environment;
  - (b) Emerging policy issues;
  - (c) International environmental governance;
  - (d) Coordination and cooperation within the United Nations system on environmental matters;
  - (e) Coordination and cooperation with major groups;
  - (f) Environment and development.
5. Follow-up to and implementation of the outcomes of United Nations summits and major intergovernmental meetings, including the decisions of the Governing Council.
6. Budget and programme of work for the biennium 2012–2013 and the Environment Fund and other budgetary matters.
7. Provisional agenda, date and venue of future sessions of the Governing Council/Global Ministerial Environment Forum:
  - (a) Twelfth special session of the Governing Council/Global Ministerial Environment Forum;
  - (b) Twenty-seventh session of the Governing Council/Global Ministerial Environment Forum.
8. Other matters.
9. Adoption of the report.
10. Closure of the session.

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<sup>56</sup> The dates of the twenty-sixth session of the Governing Council/Global Ministerial Environment Forum will be decided in consultation with the Bureau of the Governing Council and the Member States.

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## **Annex II**

### **Report of the Committee of the Whole**

**Rapporteur: Mr. Juan Carlos Cué Vega (Mexico)**

#### **Introduction**

1. At the 1st plenary meeting of its twenty-fifth session, on 16 February 2009, the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum decided to establish a Committee of the Whole to consider agenda items 4 (a), 4 (c)–(f) and 5–8. The Committee was also to consider draft decisions prepared by the Committee of Permanent Representatives to UNEP and proposed for adoption by the Council/Forum, which were contained in document UNEP/GC.25/L.1, draft decisions submitted by Governments and regional groups, which were contained in document UNEP/GC.25/L.2 and its addenda (Add.1, 2 and 3), and draft decisions proposed during the session.

2. The Committee of the Whole held nine meetings from 16 to 20 February 2009 and was chaired by Mr. Jukka Uosukainen (Finland) in accordance with the decision of the Council/Forum taken at its 1st plenary meeting and that of the Bureau. The Committee elected Mr. Juan Carlos Cué Vega (Mexico) to serve as Rapporteur of its meetings.

#### **I. Opening of the meeting**

3. The Chair of the Committee of the Whole opened the meeting and outlined the conduct of work.

#### **II. Organization of work**

4. The Committee agreed to follow the programme of work circulated to Committee members at its 1st meeting in a conference-room paper. Delegations were requested to submit any draft decisions to the secretary of the Governing Council by the end of the afternoon session on Monday, 16 February. Draft decisions would be discussed under the relevant agenda items and suggestions on language and text would be addressed by either the Committee or the drafting group established to that end by the Council/Forum during its 1st plenary meeting, chaired by Mr. Daniel Chuburu (Argentina).

5. The Committee agreed to establish a working group on the budget and programme of work, chaired by Ms. Agnes Kalibbala (Uganda), and a working group on chemicals management, including mercury, co-chaired by Mr. John Roberts (United Kingdom of Great Britain and Northern Ireland) and Mr. Festus Bagooora (Uganda).

6. In considering the items before it, the Committee had before it the documentation outlined for each item in the annotated agenda for the current session (UNEP/GC.25/1/Add.1/Rev.1).

7. The Committee heard an introductory statement by the Deputy Executive Director of UNEP, Ms. Angela Cropper, in which she highlighted some of the key issues for consideration by the Committee, namely aspects of international environmental governance, the science-policy interface and the proposed intergovernmental science-policy platform on biodiversity and ecosystems services, the state of the environment and chemicals management including mercury, the programme of work for 2010–2011 and the supplementary budget for 2008–2009. She noted that, as part of the reform process, UNEP had been the subject of a number of internal and external reviews. Those reports recognized that UNEP and its Governing Council were placed at the centre of environmental policymaking in the United Nations system. The current meeting of the Governing Council was an opportunity to carry the process forward and deliver on expectations.

8. Prior to taking up the individual agenda items entrusted to it, the Committee heard brief introductions of a number of the draft decisions that it was to consider. Ms. Kalibbala, Chair of the Committee of Permanent Representative to UNEP, introduced 11 draft decisions prepared by the Committee of Permanent Representatives, contained in document UNEP/GC.25/L.1, giving a brief outline of the Committee's negotiations on each. The representatives of Nigeria and South Africa introduced draft decisions submitted by their groups, contained in documents UNEP/GC.25/L.2 and Add/3. The representative of Japan announced that his Government would submit a draft decision on biodiversity.

### **III. Policy issues (agenda item 4)**

#### **A. State of the environment (agenda item 4 (a))**

##### **1. Chemicals management, including mercury**

9. The Committee took up the item at its 1st plenary meeting, on the afternoon of Monday, 16 February. Introducing the item, the Deputy Executive Director drew attention to the large number of documents related to chemicals management before the Committee which, she said, covered three main issues: the Strategic Approach to International Chemicals Management, lead and cadmium and the mercury programme. She briefly described work under way and progress made in those areas, including implementation of the Strategic Approach through the Quick Start Programme and the partnership initiative for integration of sound management of chemicals, the successful phasing out of leaded gasoline worldwide and updating of scientific reviews, for example on long-range environmental transport and trade of products containing lead and cadmium in Africa, and extensive work under the mercury programme with the formalization of the UNEP Global Mercury Partnership. The draft decision on chemicals management including mercury addressed the need for immediate action and continued work in those areas.

10. The representative of the United States of America introduced a draft decision on mercury contained in a conference-room paper and outlined its salient points. It was agreed that the decision would be considered by the working group on chemicals management.

11. In the ensuing discussion, most representatives, while detailing the progress of their respective Governments to curb mercury emissions, acknowledged the global nature of the problem arising from its long-range atmospheric transport, persistence, accumulation in ecosystems and significant health effects on human health and the environment. Several representatives referred in particular to mercury accumulation in fish that had led to concerns about its consumption by pregnant women and members of coastal indigenous societies whose traditional diets contained a high proportion of marine products. Noting that every state in his country had been forced to issue fish advisories to curb the intake of fish, one representative noted that studies had demonstrated that over half of mercury deposition came from abroad.

12. Representatives agreed that the dangers of mercury had been known for some time and reviewed existing efforts to deal with the issue, citing the global mercury assessment, the mercury programme and the Global Mercury Partnership. UNEP was widely congratulated for the success of those efforts. It was acknowledged nevertheless that mercury remained the most significant chemical issue facing the global community and that the time was right for further action.

13. Many representatives expressed support for the amendments to the draft decision on mercury prepared by the Committee of Permanent Representatives and contained in the compilation of decisions in document UNEP/GC.25/L.1.

14. Commending the Open-ended Working Group on Mercury on its work, one representative expressed the hope that the comprehensive policy framework that had been developed would be endorsed by the Governing Council and said that the best way to fulfil the recommendations contained therein would be to launch negotiations for a multilateral environmental agreement. It was felt that such an agreement should be flexible on the levels of commitments and tailored to the differing needs and capacities of Parties. Another representative said that negotiations should begin on the basis of existing documents produced by the Working Group.

15. Representatives who took the floor were in favour of a new legally binding instrument or multilateral environmental agreement on the issue, with only one voice of dissent. There was support for the establishment of an intergovernmental negotiating committee with the mandate to develop such an agreement. Given the urgency of the issue and the delays that could be expected during negotiations, it was strongly felt that that committee should begin work as soon as possible and that voluntary efforts and partnerships should continue in the interim.

16. There was some divergence of opinion as to whether the agreement should be purely for mercury or should include other chemicals such as lead and cadmium. Many representatives felt that the focus should be on mercury alone in order not to lose momentum and focus. A significant number, however, felt that the agreement should be formulated in such a way as to include in the future the possibility of other chemicals and heavy metals being added in the interests of avoiding a proliferation of instruments. Several representatives also expressed the view that the new agreement should complement the current agreements and form part of the broader regime established by the Strategic

Approach, while one representative cautioned that a solution for the sustainable long-term financing of that regime needed to be found.

17. The representative of a regional group pointed out that the effects of exposure to mercury were more severe in developing countries, especially in Africa, and that resources for chemicals management were limited. Representatives agreed on the need for more resources and commented also on the lack of technology and capacity and the significant role played by the partnership mechanisms for developing countries.

18. The representative of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal pointed out that many aspects of the issue of mercury wastes were already covered under the Basel Convention and that many activities were under way. She felt that synergies between the Basel Convention and any new agreement should be considered and offered assistance in that regard. The representative of the World Health Organization also offered assistance, particularly with regard to the formulation of the draft decision.

19. The Chair announced that the working group would begin its deliberations immediately and would report back to the Committee at a later stage.

20. At its 8th plenary meeting, on the evening of Thursday, 19 February 2009, the Committee approved the draft decision on chemicals management, including mercury, set out in document UNEP/GC.25/CW/L.4 for consideration and possible adoption by the Council/Forum.

21. Many representatives greeted the adoption of the decision with expressions of satisfaction and congratulation to the co-chairs, UNEP and all concerned. Many commented on the landmark nature of the decision and expressed the hope that the negotiation of the legally binding instrument would be carried out in the same spirit of compromise and cooperation.

## **2. World environmental situation**

22. The Committee took up the item at its 2nd meeting, on the morning of Tuesday, 17 February 2009. Introducing the sub-item, the representative of the secretariat presented the latest scientific findings by UNEP on global environmental change as contained in the *UNEP Year Book 2009* and described how science underpinned the medium-term strategy and the draft programme of work. He noted that the role of science was being enhanced across all UNEP functions with a view to ensuring that the best possible science was used to set priorities and inform decision-making. He presented a brief overview of the current international assessment landscape and invited representatives to make suggestions on future global environmental assessments and their influence on the policy cycle.

23. Ms. Renate Christ, Secretary of the Intergovernmental Panel on Climate Change, provided a brief overview of the Panel's recent activities. She highlighted a number of the key messages of the Panel's fourth assessment report, which had been finalized over a year earlier, and recalled the award in 2008 of the Nobel Peace Prize jointly to the Panel and former Vice-President of the United States, Mr. Al Gore. She noted that, at its twenty-eighth session, the Panel had agreed to prepare a special report on renewable energy and climate-change mitigation in addition to a fifth assessment report, which would make full use of new social and economic and emissions scenarios, climate and earth system model runs and impacts, adaptation and vulnerability studies. She highlighted a number of future activities and proposals for special reports that had been submitted to the Panel for its consideration, including one by Norway for a special report on extreme risks and disasters with an emphasis on risk management. In closing, she invited Governments and other representatives to work with the Panel in further disseminating and using in policy formulation and decision making the findings of the fourth assessment report.

24. In the ensuing discussion, most of the representatives who spoke commended UNEP for its work on monitoring, assessment and early warning, which constituted, said one, core capacities of the organization and should be increased, particularly in relation to capacity-building and data collection.

25. On future global assessments, many representatives emphasized the importance of basing them on existing assessments. A number of representatives said that any future global assessment should have an internationally negotiated outcome document, such as a summary for decision makers. One representative said that in an overcrowded global assessment landscape it was crucial that any future assessment should have a specific focus.

26. A number of representatives pointed to the importance of multi-stakeholder cooperation in environmental protection and the active participation of all countries in global assessment processes. One representative noted the importance of coordinating multilateral and bilateral cooperation to respond to pressing environmental challenges. A number of representatives highlighted the need to enhance efforts to ensure the sound scientific basis of environmental assessments. One representative urged that future global assessments should be scientifically credible with qualified expert authors and a solid peer-review system. A strong capacity-building component and a bottom-up approach, he said, constituted a powerful tool for building capacity and developing technical skills. He suggested that globally accepted standards for data and metadata were also crucial. Several representatives highlighted the need for technical and financial assistance for developing countries to assess the environment, particularly with regard to gathering data and introducing assessment methodology.

27. One representative stressed that credible legitimate assessments on the state of the environment to underpin policy were crucial and that UNEP had a long track record in that regard; he said that it was necessary, however, to strengthen assessments' policy relevance and impact. Several representatives spoke of the need to ensure that assessments could be translated into actionable policies.

28. Other suggestions made by individual representatives included that future global assessments should focus on topics identified in the priority areas set out in the medium term strategy; that effective response to global environmental challenges should be based on analysis of sectoral policy options; that regional differentiation might add value to the impact of assessments; that the timing of Global Environment Outlook products should be linked to the timing of UNEP management products, such as the budget, and the timelines of international goals and targets; and that while UNEP was solely responsible for keeping the world environmental situation under review, there was a need to take full advantage of the work of other entities.

29. One representative welcomed the continued deliberation on an intergovernmental science-policy platform for biodiversity and ecosystem services. Another representative expressed her concern over agricultural subsidies and distorted market conditions that stood in the way of sustainable development and fair trade.

30. The Committee returned to the sub-item at its 9th plenary meeting, on the morning of Friday, 20 February and took up the draft decision contained in document UNEP/GC.25/L.5/Add.2.

31. The Committee approved the draft decision, as orally amended, for consideration and possible adoption by the Council.

### **3. Environmental law**

32. The Committee took up the sub-item at its 2nd plenary meeting, on the morning of Tuesday, 17 February. The representative of the secretariat introduced the draft decisions and associated documents to be considered by the meeting. He began by reviewing the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-First Century as background, before giving a summary of the process of formulating the two sets of guidelines: those for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment; and those for the development of national legislation on access to information, public participation and access to justice in environmental matters. He stressed that the guidelines were intended as a tool, especially for developing countries and countries in transition.

33. During the ensuing discussion all the representatives who spoke expressed satisfaction with the work of UNEP in the field of environmental law. They strongly supported the Montevideo Programme and unanimously called for a continuation of the programme.

34. One representative, however, stated that a common understanding was needed as several points remained controversial. He said that the programme should be more focused than in the past, should concentrate on strengthening the weak implementation capacities of many developing countries and should avoid duplication with other initiatives. Several representatives expressed the view that the fourth Montevideo Programme should tally with the UNEP medium-term strategy and that it should be responsive to new challenges of cooperation, coordination and synergies, together with critical issues such as climate change. One representative suggested that the results of the new phase should be reviewed at the twenty-eighth or thirtieth sessions of the Council/Forum.

35. Many representatives also expressed support for the guidelines for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment. In general it was felt that the guidelines would be extremely useful to developing countries, although a representative stressed that there should be as few exonerations as possible and that the polluter pays principle should be included.

36. While welcoming the guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters, one representative commented that the provisions differed in significant respects from the legislation in his country, for example with regard to charges, waivers and vexatious litigation.

37. The representative of a regional economic integration organization, supporting the development of the guidelines expressed the hope that they would encourage countries to join the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) and would help in the implementation of principle 13 of the Rio Declaration on Environment and Development. He expressed the view, however, that the commentaries to the guidelines required revision.

38. One representative commented on the need for reviews of the documentation to be undertaken and suggested that the issue should be postponed until a later date, such as at the next special session of the Council/Forum. Another representative endorsed that statement and suggested that an expert group meeting should be convened to consider the matter further. One representative suggested that there was already significant legislation in place and that greater stress should be laid on implementation.

39. The Committee agreed that the draft decision should be referred to the drafting group for negotiation and finalization of the draft decisions.

40. At its 8th plenary meeting, on the evening of Thursday, 19 February 2009, the Committee approved the draft decision on environmental law set out in document UNEP/GC.25/L.5/Add.1 for consideration and possible adoption by the Council/Forum.

41. Recalling that 2008 had marked the tenth anniversary of the successful negotiation of the Aarhus Convention and that the Convention was open to all countries, one representative expressed regret that it had not been possible to adopt the draft guidelines on access to information and stated that his group would continue to work on them in their preparations for the next session of the UNEP Governing Council.

#### **4. Intergovernmental science-policy platform on biodiversity and ecosystem services**

42. The Committee took up the sub-item at its 3rd plenary meeting, on the afternoon of Tuesday, 17 February. Introducing the sub-item, the representative of the secretariat said that the documents before the Governing Council reflected the need for a science-policy platform on biodiversity and ecosystem services as expressed at the ad hoc intergovernmental and multi-stakeholder meeting held in Putrajaya, Malaysia, in November 2008. The draft decision prepared by the Committee of Permanent Representatives and contained in document UNEP/GC.25/L.1 requested the Executive Director to organize a second such meeting to move the process forward. The preliminary gap analysis on existing mechanisms and processes set out in the documents was undertaken to facilitate discussions on the subject.

43. There was general support among the representatives for a stronger science-policy interface. One representative said that it was widely recognized that biodiversity was under severe threat and the availability of policy-relevant scientific information was a key element in biodiversity conservation; support should be given to improving that information and making it more available. Accordingly, a number of representatives supported the establishment of the intergovernmental science-policy platform on biodiversity and ecosystem services. One representative said that it would provide a scientifically sound, uniform and consistent framework for tackling biodiversity issues. Another representative said that the platform was urgently needed by developing countries.

44. Most representatives welcomed the holding of the Putrajaya ad hoc intergovernmental and multi-stakeholder meeting, although one expressed the view that the draft decision before the Committee did not adequately reflect the positive mood of that meeting.

45. Several representatives expressed concerns, however, about whether the platform was the best forum for tackling the issues. One representative said it was unclear how the platform would result in improved information availability, but he was nevertheless open to considering any proposals to enhance the science-policy interface and provide support to the work of UNEP.

46. Most speakers supported the convening of a second meeting to move the process forward. One representative said that it should be held after the completion of the gap analysis. A number of representatives said that the gap analysis was a key factor in deciding upon the establishment of the platform. The representative of the Republic of Korea said that the country was considering hosting the second meeting, at a time to be determined.

47. One representative, while supporting close links between science and policy, warned that there should be awareness of the efficiency and cost-effectiveness of any new mechanism. He noted that many international structures already existed and those should be fully reviewed and their effectiveness and performance assessed. On existing mechanisms, one representative pointed out that there were already several conventions that covered biodiversity to which most of the member States were Parties and current discussions on a new platform should not come at the expense of those conventions; the existing international framework should be respected and preserved.

48. One representative supported an intergovernmental platform under the umbrella of the Convention on Biological Diversity that was Government-driven and recognized the sovereignty of States in pursuing their own resources. It should ensure equitable sharing of resources and support for joint projects. Several speakers stressed the need to improve existing processes such as the Convention on Biological Diversity, and to avoid conflict with or duplication of existing instruments. One representative recommended that strengthening scientific input would enable the Convention to carry out its mandate better.

49. A number of representatives stressed that a priority of any mechanism was to build the capacity of developing countries to preserve their own biodiversity and ecosystems, to conduct assessments and to implement international instruments and formulate their own domestic policies in that regard. Access to information was an important factor. A number of representatives highlighted the importance of marine biodiversity and maritime services as an important source of revenue for many countries. Urgent steps were needed to avoid pollution of coastal areas. One representative said that it was important to take account of other processes already under way, for example in research on the marine environment.

50. The Committee agreed that the draft decisions should be referred to the drafting group for negotiation and finalization of the draft decision.

51. The Committee returned to the item at its 7th plenary meeting, on the afternoon of Thursday, 19 February, and took up the draft decision as presented by the drafting group. The Committee approved the draft decision for consideration and possible adoption by the Council.

## **5. Omnibus decision on reports by the Executive Director**

52. The Committee took up the sub-item at its 3rd plenary meeting, on the afternoon of Tuesday, 17 February. Introducing the sub-item, the representative of the secretariat explained that the grouping of several decisions under one item was in response to requests made to UNEP to reduce the number of decisions and did not in any way undervalue any of the subjects. She briefly outlined the work of UNEP and activities in each of the areas of: small island developing States; implementation of the water policy and strategy of UNEP; South-South cooperation in achieving sustainable development; waste management; support to Africa; and the Earth Charter, as presented in the relevant documents.

53. It was agreed that the sections of the omnibus decision relating to South-South cooperation in achieving sustainable development and waste management would be treated as separate decisions and would not form part of the omnibus decisions.

### **(a) Small island developing States**

54. A number of representatives stressed the importance of the Programme of Action for the Sustainable Development of Small Island Developing States (Barbados Programme of Action) and the Mauritius Strategy for the Further Implementation of the Barbados Programme of Action as significant frameworks for the development of small island developing States. One representative expressed concern regarding the impact of the continuing global financial crisis, which might, he said, jeopardize the results achieved to date under those frameworks. Another representative noted the need for capacity-building in those States to implement the frameworks.

55. Several representatives drew attention to the particular circumstances of small island developing States, including their vulnerability to the effects of environmental degradation and climate change. One representative suggested that climate change issues, including measures for adaptation to and mitigation of climate change, should be integrated into national and international planning and he welcomed the

establishment of the Adaptation Fund under the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

56. A number of representatives expressed their appreciation of the recognition of the need for special assistance to small island developing States. One representative noted with appreciation the technical and financial assistance provided by the United Nations and UNEP to those States in accordance with the thematic areas set out in the Mauritius Strategy. He welcomed the priority accorded to disaster management in small island developing States in the medium-term strategy.

57. Several representatives drew attention to the problems associated with waste: in particular, said one, mercury contamination in fish, which was the staple food of subsistence communities on the islands, and electronic and electrical waste, which leached into freshwater and coastal water resources thereby contaminating food chains. Another representative highlighted the importance of wastewater processing, the proper management of water catchment areas and the sustainable development and assessment of available water resources. A number of representatives drew attention to the importance of sustainable patterns of production and consumption for small island developing States. One representative stressed the need for assistance to those States in developing country assessments in the context of the 10-Year Framework Programme for Sustainable Consumption and Production (Marrakech Process).

58. Other issues raised by individual representatives included the importance for small island developing States of good governance; the need for additional financial resources and a move from demonstration to national projects on climate change and other environmental problems; the need for integrated projects responding to multiple threats; the importance of the green economy concept towards achieving sustainable development and to enable small island developing States to become competitive in the global arena; the need for emphasis on activities designed to study the risks of environmental degradation. One representative welcomed UNEP efforts to strengthen ties with Caribbean and Pacific countries, in particular through the allocation of staff to the South Pacific Regional Environment Programme.

59. The Committee took note with appreciation of the report by the Executive Director on small island developing States set out in document UNEP/GC.25/6.

60. The Committee returned to the item at its 8th plenary meeting, on the evening of Thursday, 19 February, and approved the draft omnibus decision containing a section on small island developing States, as orally amended, for consideration and possible adoption by the Council.

**(b) Implementation of the water policy and strategy of UNEP**

61. A number of representatives expressed their support for UNEP activities on water and the implementation of the updated water policy and strategy.

62. One representative emphasized the importance of coherence of and coordination between water initiatives, programmes and treaties. There was a need, he said, to pay due attention to climate change and its impacts and he stressed the importance of immediate implementation of integrated water resources plans in accordance with the Johannesburg Plan of Implementation. Another representative highlighted the need to produce global indicators on water quality.

63. The Committee took note with appreciation of the report by the Executive Director on implementation of the water policy and strategy of UNEP set out in document UNEP/GC.25/9.

64. Subsequently, referring to paragraph 77 of document UNEP/GC.25/9 on implementation of the water policy and strategy of UNEP, the representative of Argentina said that her country was not a member of the development of the Plata Basin Social and Environmental Knowledge and Care Centre and asked that the reference to that effect be deleted. It was so agreed.

65. The Committee returned to the item at its 8th plenary meeting, on the evening of Thursday, 19 February, and approved the draft omnibus decision containing a section on implementation of the water policy and strategy of UNEP, as orally amended, for consideration and possible adoption by the Council.

**(c) South-South cooperation in achieving sustainable development**

66. A number of representatives expressed their support for UNEP activities with regard to South-South cooperation and efforts to provide a framework for assisting developing countries through the Bali Strategic Plan. Several representatives pointed to the importance of the full implementation of

the Plan and the need for further resources therefor. One representative encouraged UNEP to pursue leveraging extra means of support, including in kind contributions.

67. Several representatives expressed support for South-South cooperation as an important element of international cooperation. One representative suggested that South-South cooperation should be viewed as a supplement to South-North cooperation, which remained the main focus for international cooperation in the field of the environment. One representative stressed that in the present financial crisis it was crucial for the international community to strengthen mutual ties and honour commitments that they had made to assist developing countries, including through the provision of technical and financial support for capacity-building.

68. The Committee took note with appreciation of the report of the Executive Director on South-South cooperation in achieving sustainable development as contained in document UNEP/GC.25/8.

69. The Committee returned to the item at its 6th plenary meeting on the morning of Thursday, 19 February, and took up the draft decision again. The Committee approved the draft decision, as orally amended, for consideration and possible adoption by the Council.

**(d) Waste management**

70. Welcoming the report and acknowledging UNEP achievements in that area, the work of the various conventions that pertained to waste management and the Bali Strategic Plan, representatives who spoke expressed concern at the increasing levels of waste and problems in its management that were leading to growing health problems and threatened the attainment of the Millennium Development Goals. In commanding the work of the Basel Convention, one representative commented that it showed that voluntary action could be extremely successful within a legally binding instrument and urged the endorsement of the Bali Strategic Plan.

71. One representative said that waste management should therefore be accorded an even higher priority in the UNEP programme of work, particularly as regards capacity-building, and that the area should be explored further by financing activities through partnerships, such as with the Global Environment Facility. Emphasising the cross-cutting nature of integrated waste management, one representative spoke of the opportunities and economic benefits associated with some waste materials in that they could provide inputs for production. He referred to the concept of reducing, recycling and reusing as a useful maxim, noting that that referred not to the transboundary transport of hazardous wastes, but rather to elements in the waste cycle that could be used as inputs into production, accruing the benefits of stimulating the economy and creating employment. One representative also expressed the hope that further attention would be paid to recycling and another stated that further research should be carried out on the potential in the fields of green waste, bioenergies and fertilisers.

72. The Committee returned to the item at its 6th plenary meeting, on the morning of Thursday, 19 February, and took up the draft decision again. The Committee approved the draft decision, as orally amended, for consideration and possible adoption by the Council.

**(e) Support to Africa**

73. In the ensuing discussion there was general acknowledgement of the particular vulnerability of Africa to a range of environmental impacts. Several representatives drew attention to the range of tools and measures that were already in place to assist Africa, while agreeing that UNEP and other stakeholders could still play a greater role in developing further measures to help the continent attain Millennium Development Goal No. 7 on environmental sustainability. The importance of aligning any such action with the medium-term strategy, budget and programme of work of UNEP was stressed. One representative said that the activities of the UNEP Regional Seas Programme in Africa, as embodied in the Nairobi Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and the Abidjan Convention for Cooperation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region, was an example of the sort of activity that could be revitalized through additional support to Africa. He also said that the small island developing States of Africa would particularly benefit from additional UNEP support.

74. Following the discussion, it was decided to refer the matter to the working group on the budget and programme of work for further consideration.

75. The Committee returned to the item at its 7th plenary meeting, on the afternoon of Thursday, 19 February, and took up the draft decision as presented by the working group. The Committee approved the draft decision for consideration and possible adoption by the Council.

## **6. Earth Charter**

76. The Committee took up the item at its 2nd plenary meeting, on the morning of Tuesday, 17 February. The representative of Costa Rica introduced a draft decision contained in document UNEP/GC.25/L.2/Add.2. One representative voiced support for the draft decision. It was agreed that the draft decision would be discussed further the following day.

77. The Committee returned to the item at its 5th plenary meeting, on the afternoon of Wednesday, 18 February.

78. The representative of Costa Rica summarized the history of the Earth Charter and stressed its importance as an ethical framework that could guide efforts towards a sustainable future for the planet; could be a valuable education tool during the United Nations Decade on Education for Sustainable Development; and could contribute to promotion of the well-being of the world's inhabitants, including marginalized groups.

79. The Committee agreed that the proposed draft decision should be withdrawn.

## **7. International Year of Biodiversity**

80. The representative of Japan presented a draft decision, contained in a conference-room paper, on matters related to the International Year of Biodiversity 2010 and the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity, to be held in Nagoya, Japan, in October 2010. Noting the prominence accorded to biodiversity and ecosystems in the medium-term strategy of UNEP, he called for UNEP to accelerate its activities on ecosystem management in preparation for 2010. The International Year of Biodiversity and the Conference of the Parties to the Convention on Biological Diversity would benefit considerably from coordinated, harmonized activities involving a wide range of stakeholders, including Governments, international organizations, the private sector, civil society, academic institutions and indigenous populations. The Executive Director of UNEP had a potential role to play in promoting such activities and maximizing their effectiveness.

81. The draft decision presented by Japan received widespread support and a number of representatives stressed its importance in helping to forge synergies between the Convention on Biological Diversity and other conventions and international forums. Several representatives favoured the inclusion of additional text to reflect some key issues, including the international regime on access and benefit-sharing, which had been the subject of much discussion under the auspices of the Convention on Biological Diversity, and progress towards attainment of the 2010 biodiversity target set by the Parties to the Convention on Biological Diversity in 2002.

82. Following the discussion, the Committee decided to refer the matter to the drafting group for further consideration.

83. The Committee returned to the item at its 9th plenary meeting, on the morning of Friday, 20 February.

84. The Committee approved the draft decision for consideration and possible adoption by the Council.

85. The representative of Japan expressed great pleasure at the good work on the draft decision. He said that there had been a sense and feeling of enthusiasm among all the participants. Even though some comments had not been reflected in the final document, a common language had nevertheless been found and flexibility had been shown in accepting the final wording. That success sent out an encouraging signal to the world.

86. Another representative said that his delegation had submitted some amendments to the draft decision of Japan, the thrust of which was to recognize that reducing the threat to biodiversity by the year 2010 would require assistance to be provided to developing countries in terms of resources. The proposed amendments had received widespread support from developing countries but did not meet with unanimous approval; accordingly, with reluctance but in the spirit of flexibility, his delegation had withdrawn the proposed amendments. He expressed the hope that the same spirit of compromise and cooperation would prevail in the International Year of Biodiversity and that it would be memorable for international efforts to reduce significantly the loss of biodiversity.

## **8. Environmental situation in the Gaza Strip**

87. The Committee took up the item at its 7th plenary meeting, on the afternoon of Thursday, 19 February. The representative of Algeria introduced a draft decision contained in a conference-room paper.

88. One representative, recalling that the protection and conservation of the environment was an obligatory duty for all persons, called for the principle of common but differentiated responsibility to be placed at the forefront of all environmental policies. She urged UNEP, rather than remaining inactive, to assess the damage caused in Gaza through a fact-finding mission and for the victims of the recent events there to be compensated accordingly. She further said that the use of prohibited weapons by Israel against humans and the environment should be referred to the relevant international criminal court; UNEP should undertake an assessment of the damage caused to the environment, the people of the Gaza should be compensated for such damage; a special commission should be designated for that purpose, and the Governing Council should issue a declaration condemning the destruction of the environment and human health through the use of prohibited weapons of mass destruction in the Gaza Strip.

89. The Committee approved the draft decision for consideration and possible adoption by the Council.

## **B. International environmental governance (agenda item 4 (c))**

90. The Committee took up the item at its 3rd plenary meeting, on the afternoon of Tuesday, 17 February. Introducing the sub-item, the representative of the secretariat summarized the action that had been taken or proposed on international environmental governance in the implementation of Governing Council decision SS.VII/1 of February 2002, commonly referred to as the Cartagena package, and decisions SS.VIII/1, March 2004, and 24/1, February 2007, on the implementation of decision SS.VII/1. The Cartagena package had recommended, among other things, a strengthening of the role of UNEP, its authority and financial situation; tackling universal membership of the Governing Council; strengthening the UNEP science base; improving coordination and coherence between multilateral agreements; supporting capacity building, technology transfer and country-level coordination; and enhancing coordination across the United Nations system. He drew particular attention to the high priority placed, in the UNEP medium-term strategy for the period 2010–2013 and in its programmes of work, on implementation of the Bali Strategic Plan.

91. Another representative of the secretariat emphasized the central role of the Environmental Management Group, which was chaired by the Executive Director of UNEP, in coordinating activities to tackle environment-related issues across the United Nations system. The working relationship between the Group and the United Nations System Chief Executive Board for Coordination had been strengthened, and a major outcome was the progress made by most United Nations bodies towards climate neutrality. The Group had decided, at its annual meeting in October 2007, to develop tools and training materials to support United Nations agencies in promoting sustainable procurement practices.

92. Mr. Tadanori Inomata, Inspector, Joint Inspection Unit of the United Nations system, presented a summary of the findings of the management review of environmental governance within the United Nations system, which had been undertaken at the request of the United Nations Industrial Development Organization and UNEP. The review had found that the current framework of international environmental governance was weakened by institutional fragmentation and specialization, the lack of a holistic approach to environmental issues and sustainable development, and the absence of a single strategic planning framework. He outlined the factors that had created that situation, and summarized the recommendations that had emerged from the review. Those included establishment by the General Assembly of a clear understanding of the division of labour among development agencies; adoption of a strategic system-wide policy orientation for environmental protection and sustainable development in the results-based management planning framework of the United Nations system; establishment of ways and means of governing and managing the multilateral environmental agreements to avoid a proliferation of secretariats and achieving savings of resources; and enhancing the coordination of capacity-building activities in the field. In conclusion, he said that it was essential that organizations with environmental responsibilities had an effective mechanism to discuss and agree on a holistic approach to ensure more productive and cost-effective responses to emerging major challenges.

93. In the ensuing discussion, a number of representatives expressed appreciation for the progress made by UNEP in dealing with the recommendations of decision SS.VII/1, and support for the recommendations put forward in the Joint Inspection Unit review, particularly as regards the development of a more coherent approach to environmental matters, in accordance with paragraph 169

of the outcome of the 2005 high-level plenary meeting of the sixtieth session of the General Assembly. One representative said that the possibility of establishing a new structure to attain that objective should not be discarded, in spite of the financial implications. Other representatives stressed the importance of integrating social and economic aspects into consideration of environmental issues in line with the principle of sustainable development. Another representative said that proposals to improve environmental governance should be explored without, however, weakening the role of States in the sovereign administration of their natural resources. There was some support for universal membership of the Governing Council, which would help to ensure that governance structures were open, transparent and imbued with a sense of ownership. Some promising examples of collaborative and strategic partnership within the United Nations system were mentioned, including the Poverty-Environment Initiative of UNEP and the United Nations Development Programme, and the United Nations collaborative programme on reducing emissions from deforestation and forest degradation in developing countries. Some representatives welcomed the preliminary compilation of internationally agreed environmental goals and objectives and looked forward to further work on the matter.

94. There was general approval for the prominence of the Bali Strategic Plan in the UNEP medium-term strategy and programme of work. Some representatives said that the principle responsibility for environmental governance lay with national Governments, and the focus should be on implementation of projects that made a difference on the ground. With regard to strengthening the scientific base of UNEP, several representatives said that information-sharing was important in assisting developing countries in the technically demanding areas of assessment and monitoring. The Environment Watch strategy was viewed as an effective tool to assist countries in that regard, though some representatives warned that resources should be deployed carefully to avoid duplication of efforts, for example with the Global Environment Outlook process. Building donor confidence was viewed as an essential prerequisite for strengthening financing. One representative said that promoting networks and partnerships, for example with the private sector, was a key to enhancing productivity. Others expressed support for an inclusive approach that embraced a wide range of partners and stakeholders. A number of representatives praised continuing efforts to enhance synergies between multilateral environmental agreements, citing in particular the work being undertaken in the chemicals cluster. Some representatives noted that such efforts would assist developing countries in reducing the cost of implementing the various conventions, thereby assisting compliance.

95. Lastly, some representatives expressed support for the work of the Environmental Management Group in promoting cooperation on environment within the United Nations system. One representative expressed the hope that the informal consultations under the General Assembly on environmental activities in the United Nations would continue, as that was the proper locus for negotiating such matters.

96. The Committee agreed that the draft decision should be referred to the drafting group for negotiation and finalization.

97. At its 7th plenary meeting, on the afternoon of Thursday, 19 February 2009, the Committee considered a draft decision on the establishment of a group to consider the question of international environmental governance submitted by Serbia and contained in a conference-room paper.

98. While welcoming steps to move forward the discussions on international environmental governance and expressing their appreciation of the need for political momentum on the matter, a number of representatives expressed concern at the haste with which the decision had been prepared that might lead to perceptions of mistrust, and lack of transparency and inclusiveness. Other representatives expressed concern at the representative nature of the proposed group to be established; they pointed to the imbalance that would arise from the participation of only two–four Governments as set out in the draft decision.

99. A number of representatives sought clarification on the relationship of the proposed process to that already established by the ambassadors of Mexico and Switzerland in New York. A number of representatives requested further information on that process. Several representatives pointed to the need for terms of reference and a mandate for the proposed group. A number of representatives stressed that the final outcome of the group's work would be an input to the process being undertaken in New York.

100. The Chair drew attention to document UNEP/GC.25/INF/35, which contained a message from the co-chairs of the process in New York, requesting the ministers of environment to find pragmatic solutions, among other things, to provide input to the process. He stressed that the outcome of the Group's work would be submitted to the Council for its consideration prior to its submission to the General Assembly.

101. One representative requested that meetings of the proposed group should be held as infrequently as possible to avoid additional financial burden on developing countries. Another representative pointed to the importance of setting a date for the group to finalize its work so that it would not work in parallel with the process under the General Assembly.

102. Attempting to clarify issues that had arisen during the prior discussion, one representative stated that the proposed process was consultative, aimed at providing recommendations as inputs to the process initiated in New York and the overall process of United Nations reform and in no way did it undermine that process. Ultimately he said, the idea was to give UNEP inputs to the General Assembly. Agreeing with that observation, another representative expressed the view that the value of such a group would be to build consensus and provide negotiation, but stated that the proposed group should be open-ended. Responding to concerns about the timing of reporting, one representative recalled that the forthcoming session of the General Assembly would last from September 2009 to August 2010, meaning that it was not an issue.

103. The Committee agreed to forward the draft decision to a working group on that matter.

104. The Committee returned to the item at its 9th plenary meeting, on the morning of Friday, 20 February, and took up the draft decision on the establishment of a group to consider the question of international environmental governance submitted by Serbia and contained in a conference-room paper.

105. The Committee approved the draft decision for consideration and possible adoption by the Council.

#### **C. Coordination and cooperation within the United Nations system on environmental matters (agenda item 4 (d))**

106. The sub-item was introduced by a representative of the secretariat. An overview was given of three key areas of UNEP collaborative work with the United Nations on environmental matters. In the context of the “Delivering as one” approach, UNEP had strengthened its work with the United Nations at the country level through the “one United Nations” pilot projects, and increasingly in common country assessments and the United Nations Development Assistance Framework process. At the governance level, UNEP was playing an active role in advocating for and strengthening the environmental dimension in inter-agency and programme discussions within the United Nations through active participation in the Chief Executives Board for Coordination, the United Nations Development Group, the Advisory Group and the Environmental Management Group. United Nations system-wide coordination on climate change had been a major element of that work, together with responses to the global food, finance and energy crises. At the programmatic level, UNEP had cooperated with United Nations agencies, most notably in the Poverty-Environment Initiative, run jointly with the United Nations Development Programme, where it worked with country teams in a joint programming approach. Other areas of cooperation were in the reduced emissions from deforestation and degradation programme, with the United Nations mechanism for inter-agency coordination on water resources, in the Green Jobs initiative, with UN-Habitat, and through the development and implementation of projects co-funded by the Global Environment Facility.

107. One representative provided information on cooperation between UNEP and the International Maritime Organization in the context of protection of the marine environment.

108. The Committee took note of the report.

#### **D. Coordination and cooperation with major groups (agenda item 4 (e))**

109. Introducing the final review of the long-term strategy on the engagement and involvement of young people in environmental issues (UNEP/GC.25/10), the representative of the Secretariat said that UNEP placed particular importance on the contribution that major groups, for example those representing civil society, could make to the work being undertaken by the organization. In that regard she outlined the history, strategy and current activities of the Tunza programme, which was designed to increase the participation of young people in environmental issues. The second Tunza strategy 2009-2014 aimed to build on the success of the first strategy and had been aligned with the six cross-cutting priorities identified in the medium-term strategy of UNEP. In conclusion, she said that the energy and passion of young people, and their willingness to engage in matters relating to the environment, represented one of the most important investments in ensuring a sustainable future for the planet.

110. A number of representatives of the Tunza Youth Advisory Council attended the meeting and delivered a statement outlining their reactions to a number of issues being discussed by the Council/Forum.

111. In the ensuing discussion much admiration was expressed for the inspirational involvement of young people in environmental activities. Many representatives summarized the actions being undertaken in their own countries and regions to foster and take advantage of the talents that young people could bring to such activities. Some representatives suggested ways in which the Tunza strategy could be improved, including widening the scope of membership of the Tunza Youth Advisory Council to ensure involvement of minorities, for example indigenous groups; paying further attention to financing and accessing resources through partnerships, including with the private sector; greater coordination with the work of other organizations and bodies; accessing a wider range of educational opportunities, for example through internships and training-of-trainers; and placing priority on awareness-raising in all aspects of sustainable development, not only the environment.

112. The Committee approved for consideration and possible adoption by the Council/Forum the draft decision on the long-term strategy on the engagement and involvement of young people in environmental issues, as contained in document UNEP/GC.25/L.1.

#### **E. Contribution of the United Nations Environment Programme as an implementing agency of the Global Environment Facility (agenda item 4 (f))**

113. Introducing the item, the representative of the secretariat gave a statement on the role of UNEP as an implementing agency of the Global Environment Facility (GEF), which had been a major funder of global environmental activities for nearly two decades. GEF was considering options for reform, which could involve a rethinking of the relationship between itself and UNEP. UNEP was helping to define the strategic priorities and emerging issues for the GEF and had reformed the GEF Scientific and Technical Advisory Panel, which it hosted, to be more effective in providing sound scientific guidance, and had taken steps to align its GEF portfolio with the UNEP medium-term strategy, as reflected in the programme of work for the biennium 2010–2011. To meet GEF fiduciary standards, such integration was accompanied by an institutional separation of the accountability functions covered by the Division of GEF Coordination and the executing services of the divisions and regional offices of UNEP.

114. Outlining some historical aspects of the relationship between GEF and UNEP, she said that between 1991 and 2008 GEF had approved 464 projects to be implemented by UNEP with a total value of \$777 million. The fourth replenishment of the GEF Trust Fund had brought far-reaching reforms, for example introduction of the resource allocation framework and the restructuring of modalities of cost recovery on projects. From the secretariat's perspective, while many of the reforms were positive, some had posed new challenges for both countries and agencies alike such as a fall in the number of projects that promoted regional or global cooperation, or that promoted system-wide cooperation. In conclusion, she said that UNEP encouraged a strong replenishment of the GEF Trust Fund in real terms, and remained committed to ensuring the efficient and effective operation of GEF as a multilateral and multisectoral facility.

115. One representative expressed strong appreciation for the work undertaken by UNEP as an implementing agency of GEF, while voicing reservations on some issues. There was a need, for example, to look at the reforms of the fourth replenishment from the perspective of their effectiveness for countries rather than with regard to the percentage of GEF resources that UNEP received. In addition, the representative acknowledged the steps taken by UNEP to enhance the fiduciary standards of the Division of GEF Coordination, but noted a need for UNEP to have independent auditors even external to the United Nations. The representative also commended UNEP on restructuring and refocusing on its comparative advantages and noted that the medium-term strategy was an instrument that had the potential to garner more funding for projects in the fifth replenishment.

116. Another representative cited experience of undertaking environmental projects that demonstrated the importance of being able to call upon UNEP as an implementing agency, whose role should be strengthened, particularly in the area of climate change projects.

117. The Committee took note of the statement by the secretariat on the contribution of the United Nations Environment Programme as an implementing agency of the Global Environment Facility.

#### **IV. Follow-up to and implementation of the outcomes of United Nations summits and major intergovernmental meetings, including the decisions of the Governing Council (agenda item 5)**

118. The Committee took up the item at its 5th plenary meeting, on the afternoon of Wednesday, 18 February. The item was introduced by a representative of the secretariat. Included under that item were the intergovernmental science-policy platform on biodiversity and ecosystem services, the resolutions of the General Assembly at its sixty-third session, follow-up on United Nations summits and intergovernmental meetings, and the report of the work of the Committee of Permanent Representatives with the related documents. Of the 266 resolutions of the sixty-third session of the General Assembly, 90 dealt with environmental and sustainable development issues and were therefore of direct relevance to the UNEP programme of work, with climate change and natural disasters high on the agenda. UNEP had played its part in responding to the outcomes of major United Nations summits, including the 2008 high-level conference on world food security, the 2008 special summit on the millennium development goals and the 2007 high-level event on climate change.

119. The Committee took note of the information provided.

#### **V. Budget and programme of work for the biennium 2010–2011 and the Environment Fund and other budgetary matters (agenda item 6)**

120. The Committee took up the item at its 1st plenary meeting, on the afternoon of Monday, 16 February. Introducing the item, the Deputy Executive Director said that the document before the Committee represented a radical departure from previous bienniums in a number of aspects. Those included a new approach based on the medium-term strategy for 2010–2013 with six new subprogrammes at its core; a new level of ambition in the programme of work for 2010–2011 with significantly increased financing reflected in the supplementary budget for the current biennium; a new level of consultations with member States on the programme of work and new subprogramme structure. The reform efforts had received recognition from the United Nations Office of Internal Oversight Services and the Joint Inspection Unit, and had been supported and acknowledged by member States. The programme of work for 2010–2011 would give the impetus to attain greater results and impact.

121. In the ensuing discussion, most of the representatives who spoke commended UNEP on the open and transparent coordination with member States through the Committee of Permanent Representatives that had characterized the preparation of the draft programme of work and budget. There was support for similar consultations in the preparation of future documents.

122. Support was expressed for the proposed budget for the biennium 2010–2011. A number of representative said that the proposal demonstrated the growing confidence of member States in UNEP, the Executive Director and the medium-term strategy for the period 2010–2013, in addition to increased political interest in the environment agenda. The proposed budget for the biennium 2010–2011 included programme activities in excess of the amount originally anticipated in decision 24/9. Representatives said that the increase in the Environment Fund budget should not have any implication for member States' assessed contributions to the regular budget.

123. While many representatives said that the draft programme of work and budget represented an excellent effort by UNEP to reorganize its work for greater coordination, effectiveness and efficiency, it was suggested by some that a number of significant aspects required clarification, in particular, the allocation of resources across divisions and links with the priorities of the subprogrammes. One representative called upon UNEP to be open in explaining its strategic thinking and management structures. Describing transparency and clarity as key to building trust, she urged UNEP to engage in open conversations with Governments, including through the Committee of Permanent Representatives, to share documents prior to their completion, to provide an opportunity to Governments to review costed workplans and provide input to the development of the organization.

124. A number of representatives called for the further alignment of the voluntary indicative scale of contribution with the United Nations scale of assessment to ensure fair and equitable burden sharing. Several representatives spoke of the importance of monitoring UNEP delivery. One suggested that a move to independent monitoring and regular reporting thereon to the Council was required to ensure accurate assessment of delivery. One representative suggested that allocation to subprogrammes should give priority to the Bali Strategic Plan to focus activities on the national level. Another representative pointed to the need to assist countries in the transition to a green economy and in fulfilling their commitments under multilateral environmental agreements.

125. The Committee agreed to forward the draft decisions on the programme of work and budget to the working group on that matter.

126. The Committee returned to the item at its 6th plenary meeting, on the morning of Thursday, 19 February, and took up the draft decisions as presented by the working group. The Committee approved the draft decisions for consideration and possible adoption by the Council.

## **VI. Provisional agenda, date and venue of future sessions of the Governing Council/Global Ministerial Environment Forum (agenda item 7)**

- A. Eleventh special session of the Governing Council/Global Ministerial Environment Forum (agenda item 7 (a))**
- B. Twenty-sixth session of the Governing Council/Global Ministerial Environment Forum (agenda item 7 (b))**

127. The above two agenda items were considered together.

128. The Committee took up the item at its 6th plenary meeting, on the morning of Thursday, 19 February. The Committee considered a draft decision on the provisional agendas, dates and venues of the eleventh special session and twenty-sixth regular session of the Council/Forum, which had been circulated in a conference-room paper.

129. A representative of the secretariat briefly drew attention to the fact that the dates and venues of the meetings would be decided in consultation with the Bureau of the Governing Council and member States following the proposal that the special session should take place at United Nations Headquarters in New York. Discussions were continuing in that regard.

130. The Committee approved the draft decision for consideration and adoption by the Council.

## **VII. Other matters (agenda item 8)**

131. No other matters were discussed.

## **VIII. Adoption of the report**

132. At its 9th plenary meeting, on the morning of Friday, 20 February, the Committee adopted the present report on the basis of the draft report contained in document UNEP/GC.25/CW/L.1, as orally amended, on the understanding that the report would be completed and finalized by the Rapporteur, working in conjunction with the secretariat.

## **IX. Closure of the meeting**

133. The 9th and final meeting of the Committee of the Whole was declared closed at 10.45 a.m. on Friday, 20 February 2009.

## Annex III

### **President's summary of the discussions by ministers and heads of delegation at the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme**

1. The United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum is the high-level environment policy forum of the United Nations. The Council/Forum brings the world's environment ministers together to "review important and emerging policy issues in the field of the environment".
2. The Council/Forum provides broad policy advice and guidance with the aim, among others, of promoting international cooperation in the field of the environment.
3. The twenty-fifth session of the Council/Forum was convened from 16 to 20 February 2009 in Nairobi. During the high-level segment of the session delegates from 147 countries, including 110 ministers and deputy ministers and 192 representatives of major groups and stakeholders, discussed two separate but related themes:
  - (a) "Globalization and the environment – global crises: national chaos?";
  - (b) "International environmental governance (IEG) and United nations reform – IEG: help or hindrance? – IEG from a country perspective".
4. The discussions were informed by two succinct and thought-provoking background papers prepared as pre-discussion briefings for the participants and by the outcomes of two pre-session events, the high-level Gender Forum and the Civil Society Forum.
5. The high-level segment also looked ahead to forthcoming events where multiple challenges and opportunities would be addressed, such as the seventeenth session of the United Nations Commission on Sustainable Development and the World Ocean Conference, the latter to be held in May 2009 in Manado, Indonesia.
6. Ministers reflected too on the preceding 12 months, during which time the world had witnessed the emergence of multiple global crises related to food, energy, freshwater and finance and rapidly rising and falling energy and food prices, global food shortages and increasing water scarcity.
7. Ministers also discussed the additional complexity resulting from climate change, which they observed was exacerbating the impact of the other global crises, including through a significant impact on the world's oceans. The effects, they noted, were felt across the globe and could have implications for the achievement of the Millennium Development Goals.
8. Much of the attention of Governments and the international community had recently been directed towards addressing the financial crisis, and ministers noted that responses to the financial crisis would have a direct bearing on the resolution or mitigation of other challenges.
9. In line with the desire of ministers, the present President's summary identifies some of the main challenges and opportunities that were highlighted by ministers with respect to each of the main themes discussed, together with clear messages for suggested action to the world's Governments, the United Nations' system, civil society and the private sector.
10. As in previous years, the President's summary is a reflection of the interactive dialogue that occurred among the ministers and other heads of delegation attending the twenty-fifth session of the Council/Forum. It reflects the ideas presented and discussed rather than a consensus view of all points raised by participants.

## Challenges, opportunities and messages

### **Theme I: Global crises: national chaos? – Towards a green economy and coping with multiple challenges and capturing the opportunities**

#### **Challenges**

***“Ministers of environment must be ministers for sustained economic success.”***

Creating a green economy goes hand-in-hand with sustainable development and the achievement of the Millennium Development Goals.

Government alone cannot manage and fund the transition to a green economy; the private sector and civil society play a fundamental role but require incentives and an appropriate investment environment.

The green economy is about consumption as well as production. Sustainable production and consumption strategies are required for greening the economy.

There is a rich range of promising examples of green projects and initiatives from across all regions: in many instances, these efforts require significant additional investment and further incentives for scaling up. In this context, there is a need for financial assistance to developing countries and countries with economies in transition, adapted to each country’s particular circumstances, and capacity-building.

#### **Governance**

***“We need to tilt the policy playing field toward the green economy.”***

(a) Policies for the green economy should contribute to poverty eradication, which requires good governance at national and international levels;

(b) Effective global and national environmental architecture requires coherent and timely responses to multiple environmental, social and economic challenges in order to achieve the transition to a green economy;

(c) Governance at the national level should effect intersectoral approaches and recognize that ecosystem services are an essential foundation of national capital;

(d) The green economy needs to be integrated into existing sustainable development processes, including through the creation of new and decent green jobs;

(e) The process of moving toward a green economy should involve labour, farmers, women, non-governmental organizations, indigenous peoples, youth, science, business and regional and local governments, all of whom have a large role to play in a green economy.

#### **Technology**

(a) Development and transfer of green technologies is a main component for making the transformation to green growth. Transfer of technology should be facilitated and made affordable.

#### **Trade and finance**

***“Environmental standards should not be an impediment to market access but should promote trade and market access, especially for developing countries and countries with economies in transition.”***

(a) Green economy measures must not create trade distortions and must get the incentives for investment and trade right;

(b) Pricing policies to promote sustainable consumer behaviour are appropriate, but pro-poor safeguards are required;

- (c) Governments alone have insufficient capital to fund and leverage the transformational change required to make the transition to a green economy. The role of the private sector is critical;
- (d) Financial mechanisms should be streamlined and not impose unnecessary requirements on developing countries or countries with economies in transition;
- (e) Who will pay for the transition to the green economy? Funding will be derived from national budgets, official development assistance, foreign direct investment, the private sector, or a combination of all;
- (f) Developed countries should honour their commitments.

### **Creating jobs and building capacity**

- (a) Building the capacity (both human and institutional) of developing countries and countries with economies in transition to take advantage of existing technological solutions and financial support for moving toward a green economy is a challenge;
- (b) Awareness raising and communication should be targeted to the public for the purpose of driving political change.

### **Opportunities**

*“The financial and climate crises are one and the same.”*

*“The green economy is the way out.”*

The current economic crisis, in the context of climate change and the energy, water and food crises, provides a unique opportunity for a fundamental restructuring of economies so that they encourage and sustain green energy, green growth and green jobs.

While some countries view the green economy as an opportunity to invest in natural capital as a means to get out of the current financial crisis, others view the green economy as an opportunity to reinvigorate international efforts to achieve sustainable development and poverty alleviation.

The move toward a green economy provides a crucial window of opportunity to draw women into the formal economy and capture previously untapped resources.

Environment and economic policies are complementary: we need to use regulated market mechanisms to promote new and innovative investments in green technology; solutions and incentives should be attuned to each country’s potential and limitations in terms of energy availability, wealth and natural resources.

### **Governance**

- (a) The economic crisis puts the State in a position where it is imperative to develop regulation that will cause markets to promote the transition to a green economy. This will require a strong leadership role for Governments;
- (b) The move toward a green economy raises the possibility of strengthening the current international environmental architecture or transforming it to respond to multiple challenges and opportunities.

### **Technology**

- (a) Many economic recovery and stimulus packages are already addressing a shift to a green economy. Such packages should contain viable components to promote North-North, North-South and South-South cooperation on technological innovation and technology transfer;
- (b) Investment in ecological infrastructure is a win-win move;
- (c) Technological solutions for business in the area of energy and efficient use of natural resources should be supported through incentives and broader deployment of technologies;
- (d) Rapid urbanization forces a renewed look at green transport, recycling and waste management.

## Trade and finance

***“We need to learn to count carbon and value biodiversity”***

- (a) Turn “carbon” subsidies into “green” incentives. Incentives to join in the green economy must be created and promoted, in particular with respect to the poor. The green economy must be open to all;
- (b) Enormous economic, social and environmental benefits are likely to arise from combating climate change and investing in green economic sectors. Benefits range from payment for sound ecosystem management to new green jobs in clean technology, energy, sustainable agriculture and conservation-based enterprises;
- (c) New financial mechanisms, such as an expanded and more accessible Clean Development Mechanism, may motivate developing countries and countries with economies in transition to green their economies;
- (d) “REDD<sup>57</sup> is GREEN!”;
- (e) Clean energies offer income generation and clean development opportunities. For example, microfinance for household solar panels enables surplus household energy to be sold for income generation.

## Creating jobs and building capacity

- (a) Greening the economy can provide a new engine for economic growth through the creation of decent green jobs. Such a shift would help raise the skills and value of the labour force through investment in education systems, knowledge and skills development and the creation of national green networks;
- (b) South-south dialogue on successful green programmes and projects opens a wealth of knowledge transfer possibilities;
- (c) Common awareness and communication packages on the green economy can be used to build national capacities. Women, as custodians of natural resources, must be recognized in capacity-building initiatives.

## Messages

***“This is the biggest crisis for many generations, but no generation has been so well suited to face it.”***

Moving toward a green economy is overwhelmingly recognized as a means of delivering multiple benefits for the international community and all nations in addressing food, energy, water security and climate change. It is seen as an effective response to the financial crisis that can ultimately result in the achievement of the Millennium Development Goals.

At the same time, there is a need to continue to study further the concept of the green economy, in particular as it relates to developing countries and countries with economies in transition.

## Governments

- (a) The possible political risks of a green new deal would be reduced if people were convinced of their long-term security in a green economy, which promotes work, health and wealth;
- (b) Governments must establish the right frameworks and incentives that will facilitate the transition to a green economy;
- (c) A society well informed of the benefits of a green economy would exert the necessary public pressure on policy makers for the success of a green economy. Considerable efforts must be deployed to reach out to the public;
- (d) Financial stimulus packages should include investment in the transition to a green economy, creating new jobs and technologies and promoting sustainable development;

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57 REDD stands for reducing emissions from deforestation and forest degradation.

- (e) There is a need to integrate the transition to a green economy into development processes and programmes, stimulating over time a transformative overhaul of the economy to a low-carbon one;
- (f) Ministers of environment should increasingly be involved in economic decision-making, influencing policy decisions along with ministers of finance, development, trade, planning, agriculture and tourism;
- (g) Women and children should benefit from the transition to a green economy and must not suffer from any negative aspects of such a transition.

#### **United Nations system**

- (a) The United Nations system should work with the Bretton Woods institutions and development banks to coordinate efforts at the international and national levels to help countries effectively to tackle the challenges of food, energy and water security and climate change in a holistic fashion through the transition to a green economy;
- (b) The Commission on Sustainable Development at its seventeenth session should promote the global green economy by, among other things, recommending relevant policies to enhance the transition to such an economy in terms of land use, agriculture and rural development through efforts that address drought and desertification, in particular in Africa;
- (c) Capacity-building and technology support -- through the implementation of the Bali Strategic Plan for Technology Support and Capacity-building -- should be provided by the United Nations system, including UNEP, to enable developing countries and countries with economies in transition to participate fully in the green economy;
- (d) UNEP should formulate a set of targeted green economy choices for immediate consideration by Governments and other stakeholders and should assist with their implementation;
- (e) The time is right. The move toward a green new deal and a green economy provides an opportunity to better integrate existing economic and environmental regimes;
- (f) UNEP should assist developing countries and countries with economies in transition to move toward a green economy and to exploit synergies among multilateral environmental agreements in their implementation of such agreements;
- (g) UNEP should facilitate debate in different forums, including the United Nations General Assembly, the United Nations Economic and Social Council and regional economic groups, on the transition to a global green economy;
- (h) UNEP should facilitate interaction and cooperation of ministers of environment with ministers of finance, development, trade, agriculture and tourism to enhance the transition to a green economy.

#### **Group of Eight, Group of Twenty and other key international forums**

- (a) The transition to a green economy is a means of responding to various global challenges, including the financial crisis, in a manner that will produce wealth, create new decent green jobs and provide multiple other environmental and development benefits;
- (b) Decisions must be made that contribute to the creation of the right conditions for stimulating private sector investment in the green economy in developed and developing countries and countries with economies in transition;
- (c) Policies are needed that will encourage the financial sector and markets to invest in the green economy;

#### **Civil society, including the private sector**

- (a) Civil society and the private sector can effectively promote the right environment and incentives required to encourage investment in the transition to a green economy;
- (b) Civil society can take an active part in raising the awareness of the general public on the benefits of a green economy through education and developing and providing targeted information to raise public awareness in various sectors;

- (c) Civil society and the private sector can promote the expansion of access to financing in order to create opportunities for the transition to a green economy, in particular in developing countries and countries with economies in transition;
- (d) There are emerging opportunities for the private sector to invest significantly in the green economy, in particular in the transport sector and clean technologies.

*"If everybody takes the risk then there is no risk. We should simultaneously launch our efforts to establish a green economy."*

## **Theme II: International environmental governance: help or hindrance? – international environmental governance from a country perspective**

### **Challenges**

*"The proposed Rio+20 summit provides an opportunity to put a full package on international environmental governance reform on the table for finalization by 2012."*

Over the past decades Governments have seen many rounds of debate and many starts and stops in the effort to strengthen international environmental governance. Inconclusive results so far are a source of frustration and concern. A reformed or enhanced environmental governance system that is better able to respond to an ever-changing world situation faces many challenges.

- (a) What would be needed to reach agreement on a political statement on the goals and objectives of international environmental governance by 2012? How can we reach agreement on a full package on international environmental governance reform by that time?;
- (b) How should the next three years, leading up to a possible conference in 2012, timed to commemorate the twentieth anniversary of the United Nations Conference on Environment and Development ("Rio+20"), be used to define a new paradigm for collective action and to ask questions about the desired future and ways of achieving the principles and objectives of international environmental governance?;
- (c) Can the current regime of international environmental governance be reformed or do we need a new regime? There may be a need for a stronger or improved regime, for example a world environment organization, with carrots and sticks to help steer sustainable development. Alternatively, will strengthening the current system suffice?;
- (d) The way financial resources flow through the system is an important part of any reform of international environmental governance. Any new regime would need incentives to ensure coordination. Funding may be the key;
- (e) The lack of coherence in current international environmental governance is felt strongly at the national level and affects the coherence of countries' own national governance. A reformed system of international environmental governance should be more responsive to, and better assist in improving, national environmental governance;
- (f) Lack of trust between developed and developing countries and countries with economies in transition is an impediment to international environmental governance;
- (g) Incoherence and complexity in the international environmental governance system can lead to high transaction costs, discouraging in some cases participation in the system by developing countries and countries with economies in transition;
- (h) The challenges today are greater than they were thought to be 17 years ago at the United Nations Conference on Environment and Development, but today we also have greater expectations;
- (i) The process of strengthening international environmental governance should be multi-thematic (encompassing, for example, environment, agriculture, and development) and based on fairness, equity and the full participation of stakeholders and rights holders, including women and indigenous peoples' groups;
- (j) How do we develop an international environmental governance system that encourages developed countries to honour their commitments regarding official development assistance?;

- (k) Adequate and predictable funding is a very important part of strengthening international environmental governance;
- (l) It is important to define the role of UNEP in a reformed international environmental governance structure, including the balance between its normative and operational functions. It is likewise important to define the role of the UNEP Governing Council versus the role of the General Assembly in the international environmental governance debate itself. Should UNEP have a role in reviewing the multilateral environmental agreement system to identify what is and is not working?;
- (m) We need a governance system that matches the issues that are emerging and that takes into account the interconnected nature of environmental challenges from ecosystem services to climate change and the inter-connectedness of environment and development.

## Opportunities

***"We must rethink the whole international environmental governance process and have a shared vision of international environmental governance: we must think big, we must make a difference."***

Governments and other members of the international community recognize that the current system of international environmental governance is fragmented and requires coherence. That recognition gives stakeholders an opportunity to break the current impasse on the way forward and to build a common vision for reform in the context of processes on international environmental governance reform that are taking place in both Nairobi and New York, recognizing that decisions will be taken by the General Assembly. There is a need to review and rethink international environmental governance, taking into account the principle of common but differentiated responsibilities.

Grounding the reform process in a context of sustainable development provides opportunities to develop an environmental governance system that incorporates the three pillars of sustainable development: economic growth, social development and environmental protection.

- (a) The time is right. The move toward a green new deal and green economy provides an opportunity to integrate better the existing regimes;
- (b) Strengthening international environmental governance should take into account paragraph 169 of the 2005 Millennium Summit outcomes;
- (c) For the first time in many years there is a chance to make headway on international environmental governance through climate change negotiations. There is an opportunity to build trust in Copenhagen that can be taken forward to a proposed Rio+20 conference;
- (d) The collaboration between the chemicals and hazardous waste conventions<sup>58</sup> provides an excellent example of how to achieve greater synergies between multilateral environmental agreements;
- (e) Making use of existing institutions and ensuring their effectiveness and efficiency should be part of the enhancement of international environmental governance and may result in significant gains;
- (f) UNEP, as the leading global environmental authority, should set and spearhead the global agenda for sustainable development and promote coherent implementation of the environment dimensions of sustainable development;
- (g) There is support for strengthening the international environmental governance system within the framework of the United Nations and recognition that there is a need to upgrade UNEP, particularly in terms of its ability to assist countries in the implementation of multilateral environmental agreements;
- (h) There are excellent opportunities for south-south cooperation in addressing governance at the national level;
- (i) Reinforcing UNEP regional offices is important in order for UNEP to strengthen further its support to member States;

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58 The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants.

(j) We need strategies that focus not only on the green economy but also on social and health strategies. We need a strengthened role of all major groups in the new green economy. We need strategies that can reach the grass-roots level.

### **Messages for international environment governance**

There is a strongly held view that meaningful progress on reforming international environmental governance should be based on an understanding that “form must follow function”. Sustainable development should underpin efforts to reform international environmental governance. Reform should take into account both the strengths and weakness of the existing system.

***“IEG is neither a help nor a hindrance – it is an imperative.”***

### **Governments**

***“The time has come to explore more ambitious steps.”***

(a) The status quo is not acceptable and there is a necessity to demonstrate boldness and to think big on the issue of international environmental governance reform;

(b) Countries have become more united in the desire to move forward, noting the deficit in implementation;

(c) It is important to bring high-level political guidance back into the international environmental governance discussion and to set clear milestones in the next three years leading up to the proposed Rio+20. It is emphasized that there is a need to make a fresh start in the discourse and to inspire a new generation of thinkers to achieve sustainable development and an international environmental governance system to deliver on it;

(d) We need to use the next three years before a possible Rio+20 to define a new paradigm for collective action and to ask questions about the desired future and ways of achieving the principles and objectives of international environmental governance;

(e) The current international environmental governance system either cannot meet – or has problems in meeting – the development challenges that we face today. Reform should be built on broadening the mandate of international environmental governance to include sustainable development at its core; reforms should strengthen the integration of environment into the broader development agenda and the ability of countries to meet both their environment and development objectives;

(f) Strengthening the current system offers many opportunities to improve international environmental governance and should be part of the discussion;

(g) Ministers of environment, foreign affairs and finance and heads of Governments must work together if there is to be effective progress on international environmental governance.

### **United Nations system**

***“The engine of change will come from the national level.”***

(a) The conclusions of the co-chairs of the informal consultations of the General Assembly on the institutional framework for the United Nations environment work were noted. There is support for the Council/Forum to play a constructive role and to provide input to the General Assembly on moving forward to improve international environmental governance;

(b) There is a strongly held view that the Bali Strategic Plan for Technology Support and Capacity-building should be fully implemented;

(c) There is wide support for the need to strengthen UNEP, including through strengthening its regional presence. UNEP, as the leading global environmental authority in the United Nations system, should be strengthened and given the necessary resources to fulfil its role;

(d) There is an opportunity to strengthen the role of the Global Ministerial Environment Forum and build on the high level of participation in its sessions by ministers as a means of influencing the United Nations General Assembly on environmental issues;

- (e) While there is a need for ambitious approaches we should seize immediate opportunities to reform international environmental governance;
- (f) There is scope for change and improvement of the existing system. There is a need for greater coordination and coherence, especially in the implementation of decisions. Many aspects of the current system, however, are working and serving countries well;
- (g) Agreed international principles and goals can concentrate efforts for effective implementation. An integrated overview of these can be a foundation for the strengthening of the international environmental governance system.

**Civil society, including the private sector**

- (a) All major stakeholders have a role to play and can actively contribute to efforts to strengthen international environmental governance.

*“The world is changing and international environmental governance reform must keep up with this changing context.*

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## Annex IV

### Statement by the Secretary-General

**Message by the Secretary-General of the United Nations to the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum of the United Nations Environment Programme, held in Nairobi from 16 to 20 February 2009**

It gives me great pleasure to greet the participants in that important global gathering.

Since the UNEP Governing Council met in Monaco last year, the world has endured multiple crises. Economies are reeling, and people are worried about food security, jobs and savings. An environmental thread runs through that story.

Soaring food prices brought intense focus not just on the issues of agriculture and trade but on the inflationary role of biofuel production. Wildly fluctuating crude oil cost illustrated once again our dependence on the fossil fuels that are causing climate change. And the short-sighted economic vision that has precipitated the current financial turmoil is also bankrupting our resource base.

For these and other reasons, the environment is increasingly occupying political centre stage. That gives us a tremendous opportunity to increase the momentum for sustainable development.

That year, I expect governments to finalize a comprehensive, inclusive and ratifiable deal at the climate talks in Copenhagen in December. The UNEP Governing Council is an important part of the process, and I look to you for leadership in the months ahead.

Leadership is also needed on global mercury pollution, a key agenda item at that meeting. Mercury poses a challenge in its own right but is also relevant in terms of climate change. One of the main sources of that toxic heavy metal is the burning of coal. The melting of the Arctic is also releasing trapped mercury back into the environment.

In meeting the climate challenge, I also look to you for help in promoting a green economy. A global Green New Deal can help tackle climate change and wasteful resource consumption. It can also re-energize economies, create opportunities for new and better livelihoods, and help us make headway towards achieving the Millennium Development Goals.

These are real possibilities that can be promoted and implemented by your Governments in collaboration with the brightest minds in business and the most dynamic members of civil society. But to make that new vision a reality, you will need assistance.

UNEP has been instrumental in developing the concept of the green economy, and is now identifying the tools for achieving it. But UNEP needs your support. Recent years have seen encouraging trends, in particular increased contribution to the Environment Fund. I welcome that vote of confidence, and urge you to maintain and increase your support.

I also ask you to commit even more strongly to the principles of green economic growth that can pave the way to the sustainable future we seek. Please accept my best wishes for a successful session.

## Annex V

### **Policy statement by Mr. Achim Steiner, United Nations Under-Secretary General and Executive Director of the United Nations Environment Programme at the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum**

I would like to build on the first part of my statement delivered at the formal opening of this Governing Council. My aim is to put this Governing Council in context, in terms of the world at large and of what has been happening within UNEP itself.

This meeting in February 2009 is not happening during a routine process of international debate. It is characterized by disruption and an escalating suite of crises as a result of the economic recession. It also comes in advance of perhaps the most important environmental governance decision in the history of multilateralism. I refer of course to the crucial United Nations climate convention meeting in Copenhagen, Denmark, in December.

The latest scientific findings related to global warming and the impacts – economic, social and human – indicate that climate change is accelerating. The Intergovernmental Panel on Climate Change's (IPCC) 2007 report is being rapidly overtaken by events. This is frightening in terms of how fast events are unfolding. Frightening too because events that models suggested could happen in 80 years or 150 years may in fact occur in 30 years to 50 years, if not sooner.

Thus the red thread that must run through this week's deliberations is the role of the environment as a solution to these multiple crises—not only the economic and climate ones but the recent fuel and food crises too and those on the horizon including a natural resource scarcity crisis in the making.

Let me for a moment turn inwards because reform has been a key theme of the last two years. It is now 24 months since I addressed my first Governing Council as Executive Director when I announced plans to shape UNEP's reform agenda. The simple premise at the time was that an institution in the United Nations system of the early twenty-first century must demonstrate its added value and must also be effective, efficient, accountable and able to demonstrate results. From this has flowed a whole series of measures and initiatives.

You also asked that this institution become a critical player within the United Nations system whereby UNEP becomes less the United Nations Environment Programme but the environment programme of the United Nations. And again from this premise has also flowed a number of critical initiatives and efforts in order to respond to your request.

You also said that the Bali Strategic Plan on Technology Support and Capacity-building was not just a mere document in the governance history of this institution and you also emphasized that the Cartagena Package and its mandates should be taken more seriously by the Executive Director and the Secretariat and by the Governing Council and the international donor community too. Again, we have heeded your concerns and taken the Bali Strategic Plan forward and I will try and report to you on the progress we have made. Meanwhile you also asked that UNEP not forget that its role in the global community of nations, and also among the community of organizations, is to provide a scientific foundation for action on the environment and sustainable development including early warning and assessment of critical trends, while also continuing to provide the normative and standard-setting platforms that are provided for including through this critical forum – the Governing Council/Global Ministerial Environment Forum.

Thus two years ago I set out a 3, 12 and 24 month set of milestones in terms of internal reform and instigated the necessary actions and initiatives. These were the establishment of a strategic implementation team to support the senior management team of UNEP alongside consultative task forces across the organization and with partners including member States, non-governmental organizations, colleagues in the multilateral environmental agreements and with the private sector. Out of these we then developed a series of reform steps and agendas.

I shall here highlight a few of these and also the new framework for accountability that has been established for this institution. First, let me say that for an Executive Director, the most important thing is to have a clear mandate that gives one the political guidance and priorities to drive forward the development of a programme and in Monaco last February Member States expressed confidence in UNEP by giving us the medium-term strategy.

To me it is the road map for this institution in terms of the accountability of its secretariat and the decisions that you take in terms of the Committee of the Whole and the programme for the next few years. This institution must allow itself to be judged and measured by its capacity to respond to this mandate and we have taken this extremely seriously in the secretariat including measures to do with the organization of the programme of work.

The Deputy Executive Director and her team translated this medium-term strategy first of all into a strategic framework and then, via a highly intense process of work across all UNEP divisions and in consultation with a broad suite of stakeholders, into implementation for the work of the current biennium. You have before you the results of what we have tried to the best of our ability to do and, while this may not yet be the perfect programme of work, it is a commitment to you that we are determined to implement a medium-term strategy that will allow this institution to respond to the priorities you have set.

The new UNEP programme of work will be also managed as “results-based”. The remaining period of this biennium will complete the preparations to have the structures, the business processes, the accountabilities, the delegations of authority and the resource allocations strategies in place to be able to deliver that results-based organization. To meet that end we have also made substantial investments in our staff. Our human resource strategy is now emerging as a fundamental building block of the new UNEP – a UNEP I have termed “UNEP plus”. Over the past 12–16 months we have trained over 200 staff members across the whole organization in results-based management and another 250 in project development and project management. This investment in the workforce is a critical precondition for delivering this programme of work and it also forms part of a working culture which will ensure that professionals will want to work in the UNEP secretariat. Accordingly, we have developed a voluntary rotation programme for staff which is in the process of being launched and we conducted a staff survey across the entire organization in 2008.

The results of the survey were sobering and have been followed up with action plans by each division and each divisional manager to ensure that those areas where our staff appeared to be frustrated will be addressed over the next two years. As part of this staff reform, we have also initiated our system of “Baobab” awards and have uncovered outstanding examples of creativity and commitment in the organization which could so easily be overlooked in the larger picture. Further testament to this creativity and commitment can be seen in the many awards that UNEP and its staff members received last year, including three UN 21 awards out of the dozen or so awarded across the entire United Nations system for work that was pioneering, exemplary and innovative.

Another major building block is the information and communication technology infrastructure necessary to support an institution that is global. I was concerned to discover that this organization still operates with some offices even unable to open bank accounts and a data system that does not allow many outposted offices to track their financial expenditure. Let me emphasize that as long as our bandwidth constrains UNEP from providing all our staff across the world with an easily accessible database, then this institution will not be able to perform at the level at which it should perform. That is one reason why we have invested significant energy and will also have to invest more funding to equip UNEP with a truly twenty-first century information and communications infrastructure. To that end, I am pleased to report that we have established a mirror site through the United Nations family in Geneva that allows us to overcome the satellite limitations here in Nairobi. In addition, we are looking forward to the arrival of fibre-optic cable on the coast of Kenya by the end of 2009 and this will clearly transform our ability to communicate over the internet. Meanwhile, we also have a revamped website with a far more extensive outreach. It may surprise many member States that, until last week, it was impossible for all UNEP staff members to operate with a “unep.org” address.

Finally, I would like to review another expectation articulated by our member States, namely predictable financial support commensurate in terms of the Bali Strategic Plan with the organization’s agreed mandates. It is my conviction that you cannot seek more money before you have set your house in order and thus entire reform programme has been conducted up until now without my seeking a single dollar from any international or United Nations partner. Indeed it has been achieved using only the resources that we already had at our disposal and with staff often working what were effectively two jobs rather than one.

But, as had always been the understanding with our OECD partner countries, if reforms are to be undertaken they should be reflected in an increasing confidence in the institution. I am delighted to say that this increased confidence is now evident in the financial resources being made available to UNEP. As you may already be aware, the biennium budget for this year was set at \$152 million and that might already have been considered as over-ambitious, coming from a new Executive Director at the beginning of his tenure.

Yet, as I stand before you here today, I am able to report to you with gratitude and appreciation that I believe that we will meet the budget envelope for 2008–2009. And, via a supplementary budget for an additional \$24 million now available through the UNEP Environment Fund, the opportunity to implement over the biennium many new activities. Among all the Governments which have increased their contributions, special mention must be made of Norway. Its minister decided early in the reform process to allocate an extra \$35 million in trust fund financing with no strings attached to ensure that UNEP would be able to implement its reform programme not tomorrow but today.

Reform is all very well, but – as the saying goes – the proof of the pudding is in the eating. Accordingly, we must now demonstrate that UNEP is successfully implementing the current programme of work in the spirit of the medium-term strategy. In this context, allow me to highlight efforts under way to strengthen the organization's scientific capacity. As part of the reform process, we have undertaken to restructure the Division for Early Warning and Assessment. The aim is to ensure that high quality science is spread throughout the institution and not just within that Division.

Over the same period we also reformed the Global Environment Facility's Scientific and Technical Advisory Panel, which UNEP has the responsibility to host and administer. That reform process has now been completed and will, I believe, enable the staff to work more effectively, including with increased resource allocations of support staff and the mobilization of a far larger scientific community.

In addition, this week will see the launch of the *UNEP Year Book 2009*, through which we endeavour to bring to you and the world at large as swiftly as possible a synopsis of the latest scientific developments relating to the mandate and programme of work of UNEP. In 2008, we also brought out our publication *Africa: Atlas of Our Changing Environment* and just a few days ago launched the first in a projected national series of such atlases, for the country of Kenya.

Over 2008, UNEP has also taken up the challenge of facilitating an international discussion about whether an IPCC-like network should be set up within the domain of biodiversity and ecosystem services. Together with the Government of Malaysia, we hosted an informal consultation at the end of 2008, the results of which are before you here and which will inform an important debate at the present session. We should not forget that when IPCC itself was first floated, the discussions took place in one of the small conference rooms here at UNEP with just 15 people in attendance. Mentioning IPCC: UNEP has readjusted its focus from that of mere administrative host with a few project activities to a position where the focal point for our support to IPCC has now been placed in the Division for Early Warning and Assessment. This will strengthen and make more relevant the role of UNEP in support of IPCC – namely to help bring the best and latest science to bear both on the IPCC process and also on climate-change issues in general.

The recently established resource panel offers another example of how UNEP is endeavouring to draw experts and scientists together in order to bring the latest science on resource efficiency and resource efficiency management to ministers of environment and ultimately to policymakers for international action.

Here this week I will unveil another milestone in the history of UNEP, with the announcement of our organization's first ever Chief Scientist, Professor Joseph Alcamo. UNEP deals with such a broad array of topics. Thus the need was to identify someone who could bring the methodology of science to the core of the organization's work, both in terms of quality assurance underpinning our scientific and standard-setting work in providing a closer interface with the scientific community. Professor Alcamo has more than 30 years of experience in the field of environmental science and international scientific management. He is the co-developer of internationally recognized environmental analysis and integrated environmental models. He has been a major contributor to the work of IPCC, the Millennium Ecosystem Assessment, the Global Environment Outlook work of UNEP and has won many environmental awards over the years. I believe his appointment represents a major step forward in the performance of the mandates which you have accorded us.

In respect of the Bali Strategic Plan and as part of the reform effort, we have also undertaken a major review of the strategic presence model of UNEP. This looks in particular at how organizations that are non-resident or, in other words, regionally-based, respond to at least a significant part of a Plan calling for a stronger response and more support for activities at the country and regional level alongside capacity-building and technology support.

In addition, we looked carefully at what the business model could be for UNEP bearing in mind the constraints of the current financial situation where opening new offices would entail substantial expenditure without necessarily building more critical mass for our activities.

Accordingly, the main thrust of our strategy has been to reinforce the regional offices on three fronts and to expand the arrangements for engagement at country level. First, we have reviewed the system for delegation of authority. In future the regional directors will have lead responsibility for the implementation of a single UNEP programme in the region. Through collaboration with the global divisions we will maintain the necessary expertise and scientific knowledge base to provide analysis at a global level and to boost support for regional implementation. Second, we are asking global divisions to co-locate more staff in the regional offices in order to strengthen their scientific and operational capacity in terms of interaction with countries and regional bodies. Third, we have decided to establish the posts of multilateral environmental agreement offices in order, at the regional office level, to strengthen the capacity of UNEP both on behalf and through these agreements. This should give countries more practical operational access to colleagues who can assist them and guide them in the implementation of the agreements.

We are also experimenting with such new ideas as using our commitment to the “Delivering as one” initiative and tapping into the resident coordinators’ efforts to bring the entire United Nations family together at the country level through the United Nations development assistance frameworks. One way of achieving this could be by posting senior advisors in UNDP offices as part of the United Nations team for short, medium or longer periods as special senior advisors, thereby extending the reach of UNEP without incurring the heavy cost of setting in place any new infrastructure. I am very pleased to say that we have already initiated this process with Pakistan because the Government of Pakistan has declared the environment as one of the top four areas in its development assistance framework and has even declared the year 2009 as the year of the environment.

Cooperation between UNEP and UNDP and the other agencies is excellent and we hope that this initiative will demonstrate how, with minimum infrastructure, we can achieve a maximum response to the Bali Strategic Plan. At the same time, significant resources are currently being allocated to support activities at the country and regional levels. In our partnership with UNDP and the Spanish Millennium Development Goals fund, we have significantly enhanced UNEP engagement at the country level and in some regional initiatives. Through the Polish Environment Initiative, which presently covers more than 20 countries, we have also begun working together with our partners in UNDP as one team.

Meanwhile, we have also allocated additional resources within the new budget for 2010–2011 with a view to strengthening the ability of regional offices to initiate and to lead programmes for the implementation and development of projects. Our engagement with the Global Environment Facility continues to form an integral part of our ability to deliver on the promises of the Bali Strategic Plan. I am pleased to report that our portfolio has slowly begun to recover to the point where that we should have sufficient resources for this year.

A key element of leveraging UNEP is not to view action undertaken on behalf of UNEP and the mandates which you have given it as essentially parallel to the rest of the United Nations and multilateral system. That is why, from the very outset and as mentioned earlier in this statement, it has been our firm belief that we are implementing the environment programme of the United Nations, rather than just UNEP.

As may be seen in the full text of my policy statement, we have highlighted a few examples because these speak to our commitment to working with the United Nations system across its full range of institutions and organizations. In that context, UNDP clearly is the backbone of our greatest multiplier effect and key partner in ensuring that the medium-term strategy emerges as a functional way of operating within the single United Nations family. It is my hope that, after our initial successes, we will continue to be more ambitious and also more practical in a number of other areas of work where we need to upgrade.

With UNIDO our partnership on cleaner production and the cleaner production centres is a model of how two entities can work alongside each other, with each other and through each other. It is certainly my hope that the future work on cleaner production can be one example of how the industrial development agenda and our agenda of environmental sustainability can work to each other’s benefit because they are fully integrated at the level of country delivery.

As we have heard earlier today, we have signed a new framework for cooperation with UN-Habitat. We are also joining forces with UNICEF this year. Here we aim to combine the work that we do on youth and the environment with the extraordinary network and capacity of UNICEF to reach youth and young people across the world. Indeed through initiatives that we are mounting over the next few months, we hope to provide perhaps the largest platform that young people will have to interact with the United Nations system.

Another perhaps surprising new partnership is with the Universal Postal Union: few realize that the postal services of this world actually constitute a major enterprise, using some 600,000 vehicles and an immense infrastructure. Together we are energizing the national postal services of the world to take climate change as one of the areas where they will be developing good corporate practices. This is starting with awareness-building through stamps, reviewing transport fleets, studying carbon footprints and turning the postal services of the world into yet another ally in the campaign to achieve a lower carbon economy.

Other areas of cooperation are in the domains of energy and water where together with partner agencies UNEP is leading or supporting work as part of UN-Energy and UN-Water.

I would also like to draw attention to the Environmental Management Group, which is a system-wide group chaired by the Executive Director of UNEP and hosted by UNEP on behalf of the United Nations system. The Group has become the key vehicle for us to engage with the rest of the United Nations family on projects such as the UN Secretary-General's carbon-neutral – and longer-term climate-neutral – initiative he has requested all organizations, funds and programmes to pursue. For example the Environmental Management Group is working with the World Food Programme in reviewing how the operation of its massive transport fleet could be made more efficient. They are drawing on the ideas of the World Bank, which has already achieved carbon-neutrality, and encouraging sister organizations in the United Nations to share their experiences in promoting this aim. The United Nations is also working on sustainable procurement through the Environmental Management Group and at the Group's last meeting we agreed that we would also look at how it can respond to the International Year of Biodiversity in 2010. This will be done with our colleagues in the Convention on Biological Diversity and other conventions dealing with the issues of desertification and land degradation.

These are excellent examples of how the United Nations family can be catalysed to work together without undue concerns about who should be coordinating with whom or whether one agency is bigger than another. I believe that the pragmatic approach adopted by my staff and the staff of the member agencies of the Environmental Management Group is tribute to their commitment on this issue.

Our collaboration with the multilateral environmental agreements remains another building block in achieving system-wide coherence and a more effective agenda. For the UNEP-administered multilateral environmental agreements, we have now established a management team, which meets on a quarterly basis. It looks at issues of common interest and deals also with the role of UNEP as the administrative host of the secretariats. We have invited the executive secretaries of the multilateral environmental agreements to our annual senior management retreats. We have also consulted them on the medium-term strategy while endeavouring to incorporate in our programmatic and budgetary strategy a clear indication of how the UNEP programme can support the decisions of member States in the conferences of parties.

We are beginning to see the fruits of this strategy already in a number of areas – there is a far more significant engagement of UNEP staff on issues such as the access and benefit-sharing of genetic resources agenda where we are supporting the Convention on Biological Diversity as well as with the co-chairs in our programmatic work on climate change and on the International Year of the Gorilla under the Convention on Migratory Species and so on. At the end of 2008 a tremendous success was scored with the Montreal Protocol and the Multilateral Fund with a replenishment of over \$450 million in Doha, Qatar. This is yet another manifestation of the most successful instrument of our international governance system and I would urge you to take a closer look at the secret behind the Montreal Protocol and its Multilateral Fund and the partnerships and success stories that it has generated for over 20 years now.

Allow me now to put before you two final illustrations of how we work. In the field of ecosystems we are following a new organizing principle in terms of results and our medium-term strategy – one which is not new to the UNEP programme of work but which constitutes a key integrating concept. We have given the Division of Environmental Policy Implementation the function of thematic coordination in the organization with other divisions picking up relevant aspects of this field.

For example, the Division for Trade, Industry and Economics is responsible within this theme for our study on the economics of ecosystems and biodiversity while on the scientific front the Division of Early Warning and Assessment and the World Conservation Monitoring Centre have been assigned key elements such as the forthcoming environmental food crisis report and the report we have just launched in New Delhi on the impacts of glacial melting and the management of the major river basins of Asia.

In addition, we have also been working with UNDP and FAO on a programme on reduced emissions from deforestation and forest degradation and we have now a joint secretariat, hosted by UNEP in Geneva and jointly staffed by FAO, UNDP and UNEP. This is aimed at supporting the accelerated agenda on identifying how the United Nations Reduced Emissions from Deforestation and Forest Degradation Programme (UN-REDD) could be part of the climate-change process in Copenhagen and beyond. Joint missions have already been sent to some seven or eight countries to mobilize UN-REDD work and to work on methodological issues. We have also initiated and are now facilitating a new global climate adaptation network, begun in the Republic of Korea and now establishing itself as one of the integrating platforms for the international community to address the issue of adaptation in a joined-up, collaborative and, wherever possible, coordinated approach.

Marine issues are re-emerging in the UNEP programme of work with ever greater clarity. Thus a significant effort over the last 12 months has gone into revitalizing the relationship between UNEP as the host and custodian of the regional seas conventions and agreements both from a management perspective and from a global agenda perspective. A new marine team and new marine programme are in place, the Global Programme of Action for Land-based Sources of Marine Pollution has been brought to Nairobi to work in the context of this larger marine programme and we look forward to the oceans conference that Indonesia will host later this year and to your guidance in this matter.

Returning for a moment to the Bali Strategic Plan, at the country level 2008 saw the very vigorous engagement of UNEP in its host country on the issue of the Mau Forest, a major ecosystem. Here we are assisting the Government and people of Kenya in tackling one of the most expensive losses of ecosystem services anywhere in the nation. We are also working with Mali on the restoration of Lake Faguibine. Mali has taken an initiative to bring this lake back to life, after it had virtually disappeared, and UNEP is privileged to have been able to take this on. I mention these as exemplifying the new approach to the programme of work where we are looking for key initiatives in a number of countries that can be transformative in the sense that they demonstrate scalability in respect to the effort put into them.

UNEP is not starting here from scratch. I would point you to our work in the Iraqi marshlands of Mesopotamia. These wetlands continue to be an extraordinary story of suffering on the one hand but also one of recovery, commitment, restoration and bringing back the livelihoods of thousands of people on the other.

Similar achievements have been scored by a number of other activities as part of our post-conflict and disaster support work. These range from the rapid response mechanisms and capacity that UNEP provides to the Office for the Coordination of Humanitarian Affairs such as those deployed a short while ago in the context of Gaza to the international strategy for disaster reduction of the United Nations system. Also the extraordinary work of our team in Afghanistan, which is one of the unsung heroes in the UNEP world, to our engagement in the Sudan, where our post-conflict assessment has led to a number of programmes with other United Nations agencies and activities in the Democratic Republic of the Congo where we are initiating a post-conflict assessment. UNEP expertise and our willingness to work as part of larger teams in the United Nations family is increasingly appreciated and countries find it extremely helpful.

As my last key example I would like to take the issue of climate change. While it is the Division of Industry, Technology and Economics which has the lead coordination function and which acts as the thematic coordinator, the work on climate change cuts across all divisions. The range of work and initiatives across the climate agenda are perhaps still not fully glimpsed by all Member States but we are working successfully in the field of analysis and policy guidance across to the question of sustainable biofuels and sustainable energy finance. Indeed it is UNEP that, every year, produces what is probably the world's most authoritative assessment of investments in the renewable energy sector under its Sustainable Energy Finance Initiative. I note also the important role of our Risø centre in Denmark, which forms a key function supporting the backbone to the entire Clean Development Mechanism of the Kyoto Protocol, both through analysing the numbers and by looking at options for reform.

In 2008 UNEP also made major contribution to the debate on energy and fuel subsidies. That report was a real eye-opener to me: it revealed that \$300 billion a year is being spent on energy fuel subsidies and that if these were cancelled, global GDP might grow by 0.1 per cent while cutting greenhouse gas emissions by some 6 per cent. The report also challenged the conventional wisdom that fuel subsidies benefit the poor. Indeed our team showed that in most cases it is the richer sections of society who benefit alongside the fuel and equipment makers. This is precisely the kind of work that UNEP should be performing, because it is looking at the same elephant in the room but from a different standpoint in order to inform the public debate that policymakers would like to have and which citizens and nations are urgently looking for.

In the area of renewable energy, we continue to work on the technology frontier, on finance and on programmes that are strongly targeted at the implementation of the Bali Strategic Plan. For example the Solar and Wind Energy Resource Assessment offers a service to developing countries for mapping their solar and wind energy potential for the purposes of attracting investment.

On the “home front” I would also like to announce today that, in 2008, UNEP became a carbon-neutral institution in support of the United Nations Secretary-General’s initiative and his simple motto of leadership by example. We are also advising the United Nations family, whether this be the capital master plan and its energy reduction and energy efficiency aims or the Director-General of the United Nations Office at Nairobi. The aim is that the new building, under construction here in Gigiri, will be a zero-energy one, generating as much electricity from its renewable energy technology as it consumes.

2009 is also the year of public debate and action about climate change. In that context, I am pleased to report that we now have 110 members of the Climate Neutral Network ranging from new and founding nations such as Costa Rica to multinational companies, cities and corporations. The Billion-Tree Campaign is also going from strength to strength, representing yet another way in which we empower citizens to be part of the work which you are doing here when you meet to govern and to consider our agenda.

Working also on behalf of the Secretary-General, we have been part of endeavours to mobilize and support a system-wide communications effort around climate change. The slogan which we have adopted – “UNite to Combat Climate Change” – is the work of our colleagues in collaboration with the Department for Communications in New York, the Framework Convention on Climate Change and many others.

Meanwhile we are continuing to support climate negotiators including through the African Ministerial Conference on the Environment with briefings coordinated by colleagues in the Division of Environmental Law and Conventions. This is an undertaking which I believe we will be able to pursue in the context of the new responsibilities of the African Union and in partnership with the Economic Commission for Africa. All of this meshes with the mandate on resource efficiency in our programme of work, the Marrakech mandate, and ultimately adds up to the different components of a green economy.

As I have stated before, the notion of the green economy is not a parallel universe, it is not another ideology, it is a way of doing business in our societies and our economies and across sectors that recognizes the need to reduce the footprint of our global community. It does not negate the principle of common but differentiated responsibilities: instead, it says that we cannot simply focus on the principle when we are in a global and competitive economy where the decisions of today will determine whether a country has a market, a technology base and products that allow it to compete in the future.

The latest technological developments in the renewable energy technology are no longer confined to the traditional industrialized economies. They are happening all over the world, be this the ethanol economy of Brazil, the photovoltaic economy of China, or the wind power industry of India: these are the places where tomorrow’s economy is being invented today. The question is now ask is whether this time Africa will take the opportunity to be on the front line of the next energy revolution and will it be able to take advantage of the natural resources that it has at its disposal to take a different path when it looks at the future of energy. This is one of the issues that we will be exploring further during our meeting this week.

In conclusion, I would like to stress that this session of the Governing Council is happening in the context of these big questions to which we all, as members of our environmental partnership, have a contribution to make.

The Committee of the Whole and the Global Ministerial Environment Forum have an immensely substantive agenda this week, ranging from the decision on mercury and the new orientation of our programme of work to the intergovernmental policy platform on biodiversity and ecosystem services and international environmental governance. This is the multilateral policy platform of the world’s environment ministers. It is where the issues of early warning, international cooperation, policy guidance, coherence and effectiveness and ultimately your leadership can be given prominence in the multilateral system.

I believe that I can stand before you today on behalf of my team in the secretariat, of our Committee of Permanent Representatives, and of all my colleagues in the United Nations system, and say to you that UNEP as your environmental programme has been refocused. That UNEP as your

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secretariat has been reformed and that UNEP is match-fit for the challenges on which you will deliberate this week – challenges upon which you will once again be providing a vision that will enable the international community to work together: work together to build a system within the multilateral institutional landscape that is driven by the principles of coherence and effectiveness and strategic partnerships rather than continued atomization and further complexity.

## Annex VI

### **Ministerial declaration relating to the GEF/UNEP/UNIDO program for the implementation of the Stockholm Convention in LDCs and SIDS in Africa**

We, the Ministers Responsible for Environment from Africa participating in this programme, having met in the margins of the 25<sup>th</sup> session of UNEP Governing Council/Global Ministerial Forum in Nairobi, on February 16, 2009

1. Convinced that the implementation of the Stockholm Convention will address some of the challenges our countries face in the sound management of persistent organic pollutants (POPS);
2. Mindful that all of our countries have already engaged in the development of their NIPs;
3. Concerned about the persistent difficulties we face in taking the Stockholm process further;
4. Reiterating the need for Capacity Strengthening and Technical Assistance for the Implementation of the Stockholm Convention National Implementation Plans (NIPs) in African Least Developed Countries (LDCs) and Small Island Development States (SIDS) and in our countries in particular;
5. Noting with appreciation contributions that UN agencies and the Global Environment Facility have made so far in the development and formulation of National Implementation Plans (NIPs);
6. Noting with appreciation the \$20 million GEF grant that is planned for this programme;
7. Taking note of the outcome of the consultative meeting of the Stockholm convention Focal Points, the GEF Secretariat and UNIDO and UNEP held in Nairobi on February 14-15, 2009 that develop the programme;

We endorse the attached programme which reflects our priorities as identified in our NIPs;

We request the GEF Council to approve this important programme that we see key to assisting us in the implementation of the Stockholm convention;

We also request development partners to support financially and technically the implementation of this programme,

Finally, we call for a significant fifth replenishment of the GEF to enable us to address the sound management of chemicals, including in particular the implementation of the Stockholm Convention in our countries.

**Nairobi, 16 February 2009**

## Annex VII

### Documents being submitted to the Governing Council/Global Ministerial Environment Forum for its twenty-fifth session

<b>Symbol</b>	<b>Title</b>
<b>UNEP/GC.25/1</b>	Provisional agenda
<b>UNEP/GC.25/1/Add.1</b>	Annotated provisional agenda
<b>UNEP/GC.25/2</b>	Policy statement by the Executive Director
<b>UNEP/GC.25/3</b>	International environmental governance: Report by the Executive Director
<b>UNEP/GC.25/4</b>	State of the environment and contribution of the United Nations Environment Programme to addressing substantive environmental challenges: Report by the Executive Director
<b>UNEP/GC.25/4/Add.1</b>	State of the environment and contribution of the United Nations Environment programme to addressing substantive environmental challenges: Addendum: Report by the Executive Director: Overview of the international environmental assessment landscape and options for a future global assessment on environmental change
<b>UNEP/GC.25/5</b>	Chemicals management, including mercury: Report by the Executive Director
<b>UNEP/GC.25/5/Add.1</b>	Chemicals management, including mercury: Addendum: Report to the Governing Council on the outcome of the discussions of the Ad Hoc Open-ended Working Group on Mercury on the work of its second meeting: Note by the Executive Director
<b>UNEP/GC.25/5/Add.2</b>	Chemicals management, including mercury: Addendum: Waste management: Report by the Executive Director
<b>UNEP/GC.25/6</b>	Small island developing States: Report by the Executive Director
<b>UNEP/GC.25/7</b>	Support to Africa in environmental management and protection: Report by the Executive Director
<b>UNEP/GC.25/8</b>	South-South cooperation in achieving sustainable development: Report by the Executive Director
<b>UNEP/GC.25/9</b>	Implementation of the water policy and strategy of the United Nations Environment Programme: Report by the Executive Director
<b>UNEP/GC.25/10</b>	Final review of the long-term strategy on the engagement and involvement of young people in environmental issues: Report by the Executive Director
<b>UNEP/GC.25/11</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Report by the Executive Director
<b>UNEP/GC.25/11/Add.1</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Report by the Executive Director: Addendum: Draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters
<b>UNEP/GC.25/11/Add.2</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Report by the Executive Director: Addendum: Draft guidelines for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment:
<b>UNEP/GC.25/12</b>	Proposed biennial programme and support budgets for 2010–2011: Report by the Executive Director
<b>UNEP/GC.25/12/Add.1</b>	Proposed biennial programme and support budgets for 2010–2011: Report by the Executive Director: Addendum: Report of the Advisory Committee on Administrative and Budgetary Questions
<b>UNEP/GC.25/13</b>	Management of trust funds and earmarked contributions: Report of the Executive Director
<b>UNEP/GC.25/14</b>	Environment Fund budgets: Proposed supplementary biennial programme and support budget for 2008–2009: Report of the Executive Director

<b>Symbol</b>	<b>Title</b>
<b>UNEP/GC.25/15</b>	Intergovernmental science-policy platform on biodiversity and ecosystem services: Report by the Executive Director
<b>UNEP/GC.25/16</b>	Background paper for the ministerial consultations: Discussion paper presented by the Executive Director: Globalization and the environment – global crises: national chaos?
<b>UNEP/GC.25/16/Add.1</b>	Background paper for the ministerial consultations: Discussion paper by the Executive Director: Addendum: International environmental governance and United Nations reform: international environmental governance: help or hindrance? – international environmental governance from a country perspective
<b>UNEP/GC.25/INF/1</b>	Scenario note and documents being submitted to the Governing Council/Global Ministerial Environment Forum for its twenty-fifth session: Note by the Executive Director
<b>UNEP/GC.25/INF/2</b>	UNEP Yearbook 2009: Note by the Executive Director
<b>UNEP/GC.25/INF/3</b>	Issues arising from the resolutions of the General Assembly at its sixty-third session that are of specific relevance to the work of the United Nations Environment Programme: Note by the Executive Director
<b>UNEP/GC.25/INF/4</b>	Report of the work of the Committee of Permanent Representatives to the United Nations Environment Programme: Note by the Executive Director
<b>UNEP/GC.25/INF/5</b>	Status of the Environment Fund and other sources of funding for the United Nations Environment Programme: Note by the Executive Director
<b>UNEP/GC.25/INF/6</b>	Report of the Board of Auditors on the audit of the accounts of the United Nations Environment Programme for the biennium ended 31 December 2007: Note by the Executive Director
<b>UNEP/GC.25/INF/7</b>	Changes in the status of ratification of and accession to conventions and protocols in the field of the environment: Note by the Executive Director
<b>UNEP/GC.25/INF/8</b>	Memorandum of understanding concerning cooperation between the United Nations Environment Programme and other organizations of the United Nations system: Note by the Executive Director
<b>UNEP/GC.25/INF/9</b>	Civil society statement to the Governing Council/Global Ministerial Environment Forum at its twenty-fifth session: Note by the Executive Director
<b>UNEP/GC.25/INF/10</b>	Joint progress report of the Executive Directors of the United Nations Environment Programme and the United Nations Human Settlements Programme: Note by the Executive Director
<b>UNEP/GC.25/INF/11</b>	Synthesis of global environmental assessment: Environment for development – policy lessons from global environmental assessments: Note by the Executive Director
<b>UNEP/GC.25/INF/12</b>	Overview of the environmental assessment landscape at the global and regional levels: Note by the Executive Director
<b>UNEP/GC.25/INF/12/Add.1</b>	Overview of the environmental assessment landscape at national level: State of state-of-the-environment reporting: Note by the Executive Director
<b>UNEP/GC.25/INF/13</b>	Findings of the review of the initial impact of the fourth <i>Global Environment Outlook: Environment for Development</i> report and the self-assessment survey: Note by the Executive Director
<b>UNEP/GC.25/INF/14</b>	Voluntary indicative scale of contributions: assessment of the operation of the extended pilot phase: Note by the Executive Director
<b>UNEP/GC.25/INF/15</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Note by the Executive Director
<b>UNEP/GC.25/INF/15/Add.1</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Addendum: Report on the review of the third Programme for the Development and Periodic Review of Environmental Law: Note by the Executive Director
<b>UNEP/GC.25/INF/15/Add.2</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Note by the Executive Director: Addendum: Draft guidelines for the development of national legislation on access to information, public participation and access to justice in environmental matters

<b>Symbol</b>	<b>Title</b>
<b>UNEP/GC.25/INF/15/Add.3</b>	Fourth Programme for the Development and Periodic Review of Environmental Law: Note by the Executive Director: Addendum: Draft guidelines for the development of national legislation on liability, response action and compensation for damage caused by activities dangerous to the environment
<b>UNEP/GC.25/INF/16</b>	Internationally agreed environmental goals and objectives: A preliminary compilation: Note by the secretariat
<b>UNEP/GC.25/INF/16/Add.1</b>	Efforts to meet internationally agreed environmental goals and objectives: Demands and outputs of selected multilateral environmental agreements for the period 1992–1997: Note by the Executive Director
<b>UNEP/GC.25/INF/17</b>	Implementation of the long-term strategy on the engagement and involvement of young people in environmental issues: Note by the Executive Director
<b>UNEP/GC.25/INF/18</b>	Activities of the United Nations Environment Programme on small island developing States: Note by the Executive Director
<b>UNEP/GC.25/INF/19</b>	Activities to promote South-South cooperation: Note by the Executive Director
<b>UNEP/GC.25/INF/20</b>	International environmental governance: Strengthening the scientific base of UNEP: Environment Watch strategy: Vision 2020: Note by the Executive Director
<b>UNEP/GC.25/INF/21</b>	Support to Africa in environmental management and protection: Note by the Executive Director
<b>UNEP/GC.25/INF/22</b>	Report on activities of the Inter-Organization Programme for the Sound Management of Chemicals and its participating organizations to implement the Strategic Approach to International Chemicals Management: Note by the Executive Director
<b>UNEP/GC.25/INF/23</b>	Draft final review of scientific information on lead: Note by the Executive Director
<b>UNEP/GC.25/INF/23/Add.1</b>	Draft final review of scientific information on lead: Addendum: Study on the health and environmental effects of the movement of products containing lead, cadmium and mercury in Africa: Note by the Executive Director
<b>UNEP/GC.25/INF/24</b>	Draft final review of scientific information on cadmium: Note by the Executive Director
<b>UNEP/GC.25/INF/25</b>	Full report of the Ad Hoc Open-ended Working Group on Mercury on the work of its second meeting: Note by the Executive Director
<b>UNEP/GC.25/INF/26</b>	Report on “Global Atmospheric Mercury Assessment: Sources, Emissions and Transport”: Note by the Executive Director: Executive summary
<b>UNEP/GC.25/INF/26/Add.1</b>	Report on “Global Atmospheric Mercury Assessment: Sources, Emissions and Transport”: Note by the Executive Director: Addendum
<b>UNEP/GC.25/INF/27</b>	Status report on partnerships as one approach to reducing the risks to human health and the environment from the release of mercury and its compounds into the environment: Note by the Executive Director
<b>UNEP/GC.25/INF/28</b>	Executive summary of the report on the extent of contaminated sites: Note by the Executive Director
<b>UNEP/GC.25/INF/29</b>	Waste management: Note by the Executive Director
<b>UNEP/GC.25/INF/30</b>	Preliminary gap analysis for the purpose of facilitating the discussions on how to strengthen the science-policy interface: Note by the Executive Director
<b>UNEP/GC.25/INF/31</b>	Implementation of the water policy and strategy of the United Nations Environment Programme within the context of the medium-term strategy: Synopsis of major outputs and results: Note by the Executive Director
<b>UNEP/GC.25/INF/32</b>	Documents submitted to the ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services, held in Putrajaya, Malaysia, from 10 to 12 November 2008: Note by the Executive Director

<b>Symbol</b>	<b>Title</b>
<b>UNEP/GC.25/INF/33</b>	Management review of environmental governance within the United Nations system: Joint Inspection Unit: Note by the Executive Director
<b>UNEP/GC.25/INF/34</b>	Additional information on options for a future global environmental assessment on environmental change: Note by the Executive Director
<b>UNEP/GC.25/INF/35</b>	Letter from the co-chairs of the informal process of the General Assembly on the strengthening of international environmental governance: Note by the Executive Director
<b>UNEP/GC.25/INF/36</b>	List of participants
<b>UNEP/GC.25/INF/37</b>	Ministerial consultations: Note by the Executive Director