

UNEP

High-Level Committee of Ministers and Officials

The Third Meeting of the High-Level Committee of Ministers and Officials met on the 10 November 1998, in Buenos Aires, on the margins of the Fourth Session of the Conference of the Parties to the UN Framework Convention on Climate Change. (In the last issue we reported briefly on the main agenda points.)

Delegates focused on UNEP's contribution to the next meeting of the Commission on Sustainable Development; on the on-going reform of UNEP; and on issues related to the environmental aspects of oceans, tourism and other areas. Extracted information from reports on "UNEP and the Implementation of Chapter 17 of Agenda 21: Sustainable Management and Use of Oceans and Coastal Areas;" "Implementation of the Barbados Programme of Action for Sustainable Development of Small Island Developing States (SIDS);" and "Sustainable Tourism and UNEP Work Programme on Sustainable Production and Consumption," as prepared by the secretariat, were used to develop document UNEP/HLC/3/4: "Contribution of the United Nations Environment Programme to the seventh session of the Commission on Sustainable Development, on, inter alia, oceans, small island developing States, tourism and consumption and production patterns."

In this report we concentrate on the aspects of the Meeting which concerned UNEP's relationship with the Global Environment Facility (GEF), in particular, the outcome of the twelfth meeting of the Council of the GEF of relevance to UNEP and the report of the UN Task Force on Environment and Human Settlements where it is relevant to UNEP.

Task Force: Revitalising UNEP

The Report of the Task Force on Environment and Human Settlements contains a series of recommendations at the inter-agency, intergovernmental and programme levels that are designed to enhance co-ordinated action by the United Nations and begin the process of improving overall policy coherence and the functioning of intergovernmental policy mechanisms (see report in Environmental Policy and Law, Vol. 28, No. 5 at page 214).

The recommendations include the establishment of an Environmental Management Group as the first embodiment of the "issue management" approach contained in the UN Secretary-General's reform proposals, as well as the institution of annual meetings of the Governing Council of UNEP at the ministerial level. It also includes a recommendation that the membership of the Governing Council of UNEP be made universal.

The Task Force also made proposals on a future role of the Trusteeship Council. It has recommended that a

two-day "environment forum" be held immediately before the next session of the UNEP Governing Council, and that this forum, as well as the Council, provide an input to the Millennium Assembly and Forum on forward looking proposals on the global environment, including the possible role of the Trusteeship Council.

UNEP and the GEF

A Note by the UNEP Secretariat for the High-Level Meeting, deals with the measures initiated by UNEP to mainstream Global Environment Facility (GEF) operations in its regular activities.

The Meeting also had before it the Note by UNEP's Executive Director on the complementarity of the core activities of UNEP and its Global Environment Facility interventions.

It recalls that the 1997 nineteenth session of the UNEP Governing Council, adopted the Nairobi Declaration (see Environmental Policy and Law, Vol. 27 at page 103), on the Role and Mandate of UNEP, which recognises that UNEP has been and should continue to be the principal United Nations body in the field of the environment.

Based on the Nairobi Declaration, the overall goal of UNEP in the GEF is to be the leading environmental Implementing Agency that sets out the global environmental agenda, and promotes the environmental dimension in GEF operations, based on the best available scientific and technical information and expertise as well as the state of the art environmental assessments.

According to the Note, "the new profile of UNEP in the GEF will be complementary and additional" to the focused mandate of the revitalised UNEP as contained in the Nairobi Declaration, and policy statement of the Executive Director endorsed by the fifth Special Session of the UNEP Governing Council. In the short and medium term, UNEP's proposals for GEF funding based on the principle of country ownership, will be complementary and additional to the revised UNEP work programme for 1998-1999, as well as to the work programme for the biennium 2000-2001 that will be adopted by the twentieth meeting of UNEP Governing Council, in February this year.

UNEP's Executive Director reiterated that in order to implement the GEF's basic principle of incrementality, UNEP's GEF projects "must and will be additional" to its regular programmes as well as those of its partner.

UNEP's new priority areas are:

- Emergency response measures and early warning and assessment functions, so that it has a comprehensive



capacity to link monitoring, assessment, early-warning and emergency response mechanisms;

- Coordination and development of environmental policy instruments, including conventions for addressing the Chemicals Agenda such as Prior Informed Consent (PIC) and Persistent Organic Pollutants (POPs), and economic instruments.
- Freshwater, including information, assessment, monitoring, diagnostic analyses, action programmes and legal agreements for freshwater management;
- Industry and technology transfer, including Cleaner Production programmes and voluntary initiatives with the private sector.
- Support to Africa, particularly with respect to land degradation, desertification and freshwater.

In implementing its work programme, UNEP will pay special attention to promoting synergy between GEF-related environmental conventions, as decided in the UNGASS process and urgently asked for in the Task Force Report.

GEF Recommendations

An Annex to the Note by the Executive Director on “the outcome of the twelfth meeting of the Council of the Global Environment Facility of relevance to UNEP,” contains the Recommendations of the study of GEF overall performance addressed to UNEP on the issue of Mainstreaming.

It begins by stating that,

“UNEP, unlike the World Bank and UNDP, is not a funding agency and does not normally implement country-level development-related projects. It has a budget approximately one-thirtieth the size of UNDP’s, and that budget has shrunk drastically in the last few years.

It is not reasonable to expect UNEP to be able to provide cofinancing for GEF projects. The nature of UNEP projects is such that it is much more difficult to mobilise additional financing from other sources than it is for the other Implementing Agencies. UNEP partners in the science and environmental communities generally do not have access to the resources of sectoral and development agencies, and the governments are less willing to finance regional and subregional activities. The criteria for mainstreaming for UNEP must be significantly different from those applied to the other two Implementing Agencies.”

At its eleventh meeting, the GEF Council requested the Chief Executive Officer to transmit the Joint Summary of the Chairs for the Council meeting, the report on the second replenishment of the GEF Trust Fund and the GEF evaluation reports to UNDP, UNEP and the World Bank, inviting each of them, in its role as an implementing agency, to take note of the replenishment and to accept and to take appropriate action on the policy recommendations.

The Governing Council of UNEP, at its fifth special session, held in Nairobi from 20–22 May 1998 (see *Environmental Policy and Law* at page 141), considered these matters.

In pursuance of the GEF Council’s request, the Executive Director of UNEP submitted to the Council at its twelfth meeting from 14–16 October 1998, in Washington,

a note on the complementarity of UNEP’s core activities and its GEF interventions. He also addressed to the Council an information note on measures initiated by UNEP to mainstream GEF operations in its regular activities.

In his statement at the twelfth Council meeting, the Executive Director further elaborated on UNEP’s role as a GEF implementing agency, as well as the policy framework for UNEP’s complementarity with GEF. He also outlined the elements for a strategic partnership between UNEP and the GEF Secretariat in the three following areas: assessment, knowledge management and global environment outreach.

During the debate at the twelfth Council meeting on the issue of mainstreaming, some Council members expressed the view that the documents submitted by UNEP, as well as the other two implementing agencies, should have included a clear strategy and a plan of action on mainstreaming as well as time-bound schedules and benchmarks.

Other Council members noted that the relevant issue for UNEP was not mainstreaming *per se*, but rather a clearer definition of its role as an implementing agency of GEF. These Council members called for an acknowledgement of the significant difference in the mandates of the three implementing agencies in requesting mainstreaming strategies.

The Council noted its general dissatisfaction with the reports prepared by the implementing agencies and requested the Chief Executive Officer to communicate the highlights of its discussions on this agenda item to senior management of each of the Agencies.

The GEF Council noted the need for a clearer definition of the concept of mainstreaming and called upon the implementing agencies to consult with one another and with the GEF Secretariat on a common approach to preparing their strategies and action plans, while recognising the unique mandate of each agency and their different roles in the GEF.

In response to that request, the Executive Director of UNEP will submit for consideration and approval by the UNEP Governing Council at its twentieth session in February 1999, a draft strategy and plan of action on the complementary and additional character of UNEP’s operations vis-à-vis its GEF interventions.

The Governing Council will also review the outcomes of the decisions of the current session of the United Nations General Assembly on the recommendations of the UN Task Force on Environment and Human Settlements.

The approved strategy and action plan will subsequently be submitted to the GEF Council at its thirteenth meeting, to be held in Washington from 5–7 May, 1999.

UNEP’s Executive Director noted the need for substantive inputs from the UNEP governing bodies for the preparation of the draft strategy and plan of action. He said that the High-Level Committee of Ministers and Officials might wish to advise on ways and means for him to consult member States appropriately in the preparation of the document to be submitted to the twentieth session of the Governing Council of UNEP. □