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THE TENTH SESSION OF THE  
GOVERNING COUNCIL

Report of the Executive Director

This report is submitted in compliance with Governing Council decision 7/1, section III, paragraph 8, whereby the Council agreed to consider at its eighth session, on the basis of a report to be prepared by the Executive Director on the legal, financial and organizational implications, the question of giving its tenth session in 1982 a special character with broader participation by all States members of the United Nations system<sup>1</sup>.

## I. INTRODUCTION

1. The 1982 session of the Governing Council will have to consider a series of important issues, some of which are recurring regular items on the agenda of the Council. Others are specific to the Council's deliberations in 1982.
2. The regular items include:
  - (a) The Executive Director's introductory report and state of the environment report 1982;
  - (b) Co-ordination questions;
  - (c) Programme matters: Progress in implementation of the programme since the ninth session of the Council;
  - (d) The Environment Fund;
  - (e) Administrative and budgetary matters.
3. The issues specific to the deliberations of the Council in 1982 include:
  - (a) Achievements in implementing the recommendations of the United Nations Conference on the Human Environment (Stockholm, 1972);
  - (b) Achievements in implementing UNEP's goals for 1982 as approved by the Council;
  - (c) What targets should UNEP set itself for the second decade of its life (1982-1992);
  - (d) In the context of (c) above, adoption of the system-wide medium-term environment programme (SWMEP).

## II. OPTIONS FOR ORGANIZING THE GOVERNING COUNCIL'S DELIBERATIONS IN 1982

4. In view of the Council's wish to consider the question of giving its tenth session a special character, the Executive Director feels that the Council has three options with regard to its deliberations in 1982. The Council itself may have other more feasible alternatives. The options are:
  - (a) To invite States not members of the Governing Council as observers: this would not change the present pattern of Governing Council sessions and would, in the view of the Executive Director, not give the session a special character;
  - (b) To convene the tenth session as a special session open to all States members of the United Nations system, with rights equal to those of members of the Council. This, however, would not give the Council

in 1982 the opportunity to discharge its responsibilities for considering the normal administrative, budgetary and programme issues and adopting the necessary decisions regarding them;

(c) To convene a normal regular session of the Governing Council in 1982 for 10 working days including informal consultations, to be interrupted for five working days by a special session of the Governing Council to commemorate the Stockholm Conference. The special session would be open to participation by all States as full members. This option would not suffer from the shortcomings of the alternatives suggested in (a) and (b) above.

### III. LEGAL IMPLICATIONS

5. The following are the legal implications of the three options:

(a) Option 1: Has no legal implications;

(b) Option 2: Under Option 2 the Governing Council could decide on the convening of the special session in accordance with rule 5 of the rules of procedure, but the opening of the session to all States as full members would require the approval of the General Assembly. Should the Governing Council decide to convene a special session and should the General Assembly approve of its broader membership, the rules of procedure of the Governing Council, with appropriate amendments, would apply;

(c) Option 3: The legal implications for this option are the same as those for Option 2 above.

### IV. ORGANIZATIONAL IMPLICATIONS

6. It is the opinion of the Executive Director that Option 3 above, if approved by the Council, would meet the wish of the Council to give its deliberations in 1982, 10 years after Stockholm, "a special character with broader participation by all States members of the United Nations system". The organizational arrangements proposed by the Executive Director for Option 3 above are as follows.

#### A. The tenth regular session

7. This session would be preceded by half a day of informal consultations (on a Monday morning). The tenth session would be opened on Monday afternoon and its first part would continue until the following Friday, i.e. for 4½ working days. During this period the Governing Council would consider as much as it can of the following items:

(a) Executive Director's introductory report and state of the environment report 1982;

(b) Co-ordination questions;

- (c) Programme matters;
- (d) Implementation of the Plan of Action to Combat Desertification;
- (e) UNEP's goals for 1982;
- (f) SWMTEP;
- (g) The Environment Fund;
- (h) Administrative and budgetary questions;
- (i) Recommendations for consideration by the special session.

8. The first part of the regular session would start with a very brief introductory statement by the Executive Director, and its plenary discussions would concentrate on the state of the environment report 1982, UNEP's goals for 1982, and recommendations for the special session on the course to be followed by UNEP in the second decade of its existence. This part would be followed by the special session (see sect. B below).

9. The tenth regular session would then reconvene on the morning of the Monday following the end of the special session. This part of the regular session would continue until the following Friday, i.e. for five working days. During this period the Council would consider the remaining items of its agenda and, in the light of the policy guidance given by the special session;

- (a) Approve SWMTEP;
- (b) Adopt the level of the Environment Fund for the period of the medium-term programme;
- (c) Adopt the report of the regular session, including the Council's decisions, for submission to the General Assembly through the Economic and Social Council.

#### B. Special session

10. The special session would open on the morning of the Monday following the end of the first part of the regular session and would end on the following Friday. On the last day the special session would adopt its report, which would be submitted to the General Assembly through the Economic and Social Council. The report would include a policy guidance decision or decisions adopted by the special session to chart the path of environmental activities in the 10 years to follow. The deliberations of the special session would all take place in plenary. The debate would be started by an introductory statement by the Executive Director on:

(a) Major achievements in the implementation of the Stockholm Action Plan for the Human Environment and main gaps which need to be addressed;

(b) Brief summary of the impact on the environment since 1972 of environmental protection measures induced by the Stockholm Conference, and of the establishment of UNEP;

(c) Main targets for UNEP in the 10 years following 1982.

11. Two documents would be prepared for the special session:

(a) An evaluation of the implementation of the Stockholm Action Plan (Report by the Executive Director);

(b) Recommendations by the Council at its tenth regular session on what UNEP should do in the next 10 years. A working group could be established by the special session to prepare a draft of its decision or decisions concerning this item.

#### V. FINANCIAL IMPLICATIONS

12. The number of participants at a Governing Council session has no bearing per se on the cost of the session. However, should additional documentation be called for, or should the duration of the session be extended, there would naturally be financial implications.

13. As the procedure for the preparation and subsequent publication of the state of the environment report for 1982 has already been endorsed by the Council (decision 7/1, sect. IV, para. 2), the publication of the report will have no further financial implications over and above the normal allocations for Governing Council documentation. The Executive Director intends to present to the Governing Council at its tenth session, within the programme progress report for the regular session, a report on the status of implementation of the goals to be attained by 1982. Thus the preparation and publication of that report will also entail no additional costs. Therefore, the only additional documents will be the two mentioned in paragraph 11 above.

14. The Governing Council, at its seventh session, endorsed the recommendations of the Executive Director that the duration of Governing Council sessions should normally be limited to 10 working days (decision 7/1, sect. III, para. 2). The Executive Director is now proposing, for the two sessions in 1982, a total working duration of 15 days. The daily remuneration and per diem of the temporary conference and language staff required for Council sessions amount to \$15,000, at estimated 1982 rates and these staff are paid for each day they are present in Nairobi, not only for working days. Taking the Council's eighth session, the first of the new duration, as normal (i.e. with two weekends between the 10 working days), the financial implications of the Executive Director's proposals for 1982, again with two weekends between the sessions, amount on this basis to

\$75,000. Consultations with the Secretary-General would show whether, in the preparation of his proposals for 1982/1983 regular budget, such an additional amount could be absorbed within the proposed appropriations for Governing Council meetings, or whether it will need to be specifically requested through the presentation of financial implications to the General Assembly at its thirty-fifth session.

VI. SUGGESTED ACTION BY THE GOVERNING COUNCIL

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

"The Governing Council,

"Desirous of giving its deliberations in 1982, ten years after Stockholm, a special character with broader participation by all States as full members,

"Having considered the report of the Executive Director 1/ on the tenth session of the Governing Council,

"1. Decides, in accordance with Rule 5 of its Rules of Procedure, and subject to General Assembly's approval of the Council recommendation in paragraph 2 below, to convene a special session of the Governing Council in 1982 to commemorate the tenth anniversary of the United Nations Conference on the Human Environment;

"2. Recommends to the General Assembly that the above special session should be open to participation by all States as full members;

"3. Requests the Executive Director, upon approval by the General Assembly of the recommendation contained in paragraph 2 above, to proceed with the preparations for the tenth regular session of the Council and for the special session in accordance with the proposal contained in his report 1/".

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"1/ UNEP/GC.8/2, Add.1".