



United Nations
Environment
Programme



Distr.
GENERAL

UNEP/GC.11/8
25 January 1983

ORIGINAL: ENGLISH

GOVERNING COUNCIL
Eleventh session
Nairobi, 11-24 May 1983
Item 7 of the provisional agenda

PROGRAMME MATTERS REQUIRING GUIDANCE FROM THE
GOVERNING COUNCIL AND IMPLEMENTATION OF
PROGRAMME DECISIONS OF THE COUNCIL

Report of the Executive Director

This document covers those programme matters which, in the opinion of the Executive Director, require the policy guidance or views of the Governing Council, and also reports on the implementation as of 31 December 1982 of decisions which require reporting to the Council at its eleventh session. Developments in the implementation of decisions between 1 January and 31 March 1983 will be included in Addendum 1 to the present report. Addendum 2 will contain the report of the Executive Director on the work of the second session of the Ad Hoc Working Group of Legal and Technical Experts for the Elaboration of a Global Framework Convention for the Protection of the Ozone Layer.

Contents

	<u>Page</u>
Introduction.....	3
I. Outer limits.....	3
II. Arid and semi-arid lands ecosystems including desertification.....	3
III. Tropical woodlands and forest ecosystems.....	4
IV. Soils.....	4
V. Integrated approach to environment and development.....	5
VI. Living marine resources.....	5
VII. Regional Seas.....	6
VIII. Environmental education and training.....	6
IX. Environmental law.....	7

INTRODUCTION

1. The major developments that have taken place during 1982 in the different programme areas traditionally reported upon, together with matters requiring the Council's guidance and the implementation of decisions, in the programme performance report are covered in chapter IV of the annual report of the Executive Director (UNEP/GC.11/2), which complements the present document and should be read together with it to obtain a full picture of what has been done in the implementation of the environment programme in 1982.

I. OUTER LIMITS (Budget sub-line 1303)

2. In response to decision 10/4, section I, the Executive Director convened a small expert group in October 1982, with participation from WMO and ICSU, to discuss the interaction between climate and the biosphere and the impact of carbon dioxide-induced climate change in natural and managed ecosystems. All aspects of the carbon dioxide/climate problem were considered, and five specific recommendations for joint UNEP/WMO/ICSU activities were made.

3. The experts' recommendations are expected to be endorsed by the Scientific Advisory Committee of the World Climate Impact Studies Programme at its second meeting in Dublin from 5-8 January 1983, and will be subsequently included in the Plan of Action for the second phase of the Programme. The views of the Committee will be included in Addendum I to the present document.

4. The experts considered that it was not yet possible to devise an over-all plan of action for carbon dioxide and that such a plan should follow a second assessment of the role of carbon dioxide in climate variations and their impact, provisionally scheduled for mid-1985. The appropriate timing for the establishment of a co-ordinating committee on carbon dioxide to support the implementation of the plan of action through research co-ordination and scientific exchange, would thus be after the development of the plan in 1985. The Governing Council may wish to take note of this.

II. ARID AND SEMI-ARID LANDS ECOSYSTEMS INCLUDING DESERTIFICATION (Budget line 1700)

5. The report on this topic as well as the suggested action by the Governing Council is contained in document UNEP/GC.11/10 and Add.1.

III. TROPICAL FORESTS AND WOODLANDS
(Budget sub-line 1105)

6. As requested in decision 10/14, section II, the Executive Director transmitted the recommendations of the second expert meeting on tropical forests regarding a co-ordinated and harmonized international programme of activities in support of national efforts for rational management of tropical forest resources to all Governments and to multilateral agencies and other international and regional organizations.

7. The Executive Director has pursued intensive discussions with FAO and UNESCO with regard to having the Committee on Forest Development in the Tropics assume the role of continuing review of international activity on tropical forestry. While the principle is generally supported, FAO considers that the detailed mechanisms require more time for discussion, and consequently has proposed that the existing Committee hold a special meeting in October 1983 with the participation of UNEP and UNESCO to consider this matter as well as to prepare the new terms of reference. The Council will be informed at its twelfth session of the progress made.

8. The Executive Director also intends to intensify his consultations with regional bodies, including the regional commissions, to identify regional arrangements which UNEP can use, in compliance with decision 10/14, section II.

IV. SOILS
(Budget sub-line 1106)

9. As requested by the Council in decision 10/14, section III, the Executive Director communicated to Governments in September 1982 the World Soils Policy and the draft plan of action for its implementation, requesting comments within a three-month period. These documents were also transmitted for comment to FAO, UNESCO and other relevant organizations together with a copy of the World Soils Charter and the draft World Charter for Nature.

10. By 31 December 1982 no replies had been received from Governments. However, answers were received from ten United Nations bodies and five intergovernmental organizations giving their positive comments. In view of the slow rate of replies and in order to comply with decision 9/25, the Executive Director convened on 2 December 1982 a meeting with representatives from permanent missions to UNEP in Nairobi. On the basis of the advice received at that meeting, the secretariat has continued preparing the plan of action and a draft financial plan for its implementation which will be modified in the light of answers received from Governments. The Executive Director has again written to Governments.

seeking their support and greater involvement in the drawing up of the financial plan for the implementation of the plan of action for the World Soils Policy and requesting responses by the middle of February 1983. If the Executive Director receives concrete responses from Governments concerning the financial plan he will submit it, together with the draft plan of action, to the Governing Council in Addendum I to the present report. Since this will be a late document, the time available for Governments to review them is not likely to be sufficient to permit meaningful consideration of the plan of action and the financial plan at the Council's eleventh session. It is therefore proposed that, even if they are submitted to the Council at its eleventh session, their substances be reviewed by the Council at its twelfth session. The Council is requested to approve this course of action.

V. INTEGRATED APPROACH TO ENVIRONMENT AND DEVELOPMENT
(Budget sub-line 0404)

11. The progress report on the implementation of Governing Council decisions 10/4, 10/6 and 10/26 is contained in document UNEP/GC.11/3/Add.5.

VI. LIVING MARINE RESOURCES
(Budget sub-line 0502)

12. At its ninth session, the Governing Council had before it the Executive Director's report on the joint efforts of UNEP and FAO to prepare a plan of action on marine mammals (UNEP/GC.9/5/Add.5). In its decision 9/10 A, the Council noted this report and requested the Executive Director to continue the preparation of the plan with a view to its submission to the Governing Council at its eleventh session.

13. UNEP and FAO have continued with this work. However, in view of the need to canvass a large number of experts and interested parties, and of the developments that were pending in the International Whaling Commission, a full plan could not be developed in time for the Council's eleventh session. Moreover, the report already submitted to the Council at its ninth session contains several recommendations on which action is contingent upon the finalization of the plan of action. In view of this, the Executive Director, jointly with FAO will convene (11-14 January 1983) a meeting of representatives from six of the most concerned international organizations to review the matter, and will report the results in Addendum I to the present document.

VII. REGIONAL SEAS
(Budget sub-line 0503)

14. In response to Governing Council decision 10/20, paragraph 1, consultations with States members of the South Asia Co-operative Environment Programme are currently under way. The results of the consultations will be reported in Addendum I to the present document.

15. In response to the same decision (para. 2), it is expected that a regional convention and a protocol concerning co-operation to combat oil spills for the Caribbean will be adopted in March 1983. This will also be reported in Addendum I. The Convention for the Protection and Development of the Marine and Coastal Environment of the West and Central African Region was adopted at Abidjan in 1981. However, ratification by States has been slow. The Governing Council may wish to urge the relevant States to ratify it as soon as possible. The Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources was adopted in May 1980; again, however, ratification by member States has been slow. The Governing Council may likewise wish to urge the States concerned to speed up the process of ratification of the Instrument.

16. By paragraph 3 of decision 10/20, the Council invited participating member States to pay their contributions in support of the implementation of the regional action plans. Payments to all regional trust funds are, however, irregular and in all cases behind schedule (for the Executive Director's report on management of trust funds, see document UNEP/GC.11/13). The Governing Council may wish to reiterate its call to member States to honour their pledges sufficiently in time so that the approved programmes can be carried out without disruption.

17. In response to paragraph 4 of decision 10/20, UNEP communicated the decision to all agencies co-operating with UNEP and requested them to bring it to the attention of their respective governing bodies.

VIII. ENVIRONMENTAL EDUCATION AND TRAINING
(Budget sub-lines 0305, 0306)

18. In implementation of Governing Council decision 10/25 A, paragraphs 2 and 3, the Executive Director is convening in March 1983 a meeting of experts from Governments and the scientific community within the African region to develop a programme of action for environmental education and training in the region. A number of organizations, including ECA, UNCHS (Habitat), UNICEF, FAO, UNESCO, WHO and specialized regional institutions, have been invited to submit papers to the meeting. OAU and ALECSO

have been invited to participate. A progress report will be included in Addendum 1 to the present document. Meanwhile, a joint UNEP/ECA mission identified institutions offering environmental education and training in Africa.

19. In implementation of Governing Council decision 10/25 B, UNEP is planning to convene two expert group meetings in 1983 to advance the network of environmental training institutions in Latin America and the Caribbean. It is expected that an inventory of environmental training institutions in the region will also be completed. The co-operation of Governments is a vital precondition for success. In the meantime, CIFCA has, at its own expense, supplemented the Co-ordination Unit for the network with an adviser to assist in the development of training activities with a view to meeting the language requirements of the region.

IX. ENVIRONMENTAL LAW
(Budget sub-line 1002)

20. By decision 10/17 of 31 May 1982, the Governing Council requested the Executive Director to convene a second session of the Ad Hoc Working Group of Legal and Technical Experts for the Elaboration of a Global Framework Convention for the Protection of the Ozone Layer in autumn 1982, and to submit to the Governing Council at its eleventh session a further report on the work of the Working Group. The first part of the second session of the Ad Hoc Working Group (Geneva, 10-17 December 1982) completed the first and second readings of the draft convention. The session will resume in Geneva from 12 to 21 April 1983, and the report of the Executive Director on the results of the Group's work will appear in Addendum 2 to the present document.

21. By decision 10/21, the Governing Council adopted the programme for the development and periodic review of environmental law developed by the Ad Hoc Meeting of Senior Government Officials Expert in Environmental Law (Montevideo, 28 October - 6 November 1981), and requested the Executive Director, inter-alia, to take, in consultation with Governments and international organizations concerned, all appropriate steps for the early implementation of the specific recommendations for initial action with regard to the 11 topics of that programme.

22. Initial action on the following topics has been or will be, subject to the approval of the Governing Council, dealt with as part of the activities for the implementation of the relevant decisions: protection of the ozone layer (decision 10/17); marine pollution from land-based sources; transport, handling and disposal of toxic and dangerous wastes and international trade in potentially harmful chemicals (decision 10/24); legal

and administrative mechanisms for the prevention and redress of pollution damage (decision 10/22). Members of the UNEP secretariat and consultants are preparing the relevant documents for the forthcoming meetings on these subjects.

23. Initial action on environmental impact assessment, namely the development of model legislation or guidelines which could assist Governments to make provision in national legislation or regional agreements for environmental impact assessment and the dissemination and public use of information thereon, will begin in 1983, as this action would involve major substantive work including the convening of ad hoc expert group meetings.

24. Initial action on the transport, handling and disposal of toxic and dangerous wastes and international trade in potentially harmful chemicals, international co-operation in environmental emergencies, soil conservation and coastal zone management will be discussed at informal inter-agency consultations in February 1983.

25. Initial action on transboundary air pollution and legal and administrative mechanisms will be discussed at informal inter-agency consultations in June 1983.

26. Initial action on the protection of rivers and other inland waters against pollution has already been taken; the secretariat has drawn the attention of the United Nations Secretariat to the action taken by the Council, suggesting that the question of non-navigational uses of international watercourses be given higher priority among the subjects treated by the International Law Commission.

27. The Governing Council may wish to take note of the above actions.

28. By its decision 10/22, the Governing Council decided, within the framework of the action to be initiated as follow-up to the Ad Hoc Meeting of Senior Government Officials Expert in Environmental Law, to consider the mandate, future work programme and composition of the Working Group of Experts on Environmental Law at its eleventh session.

29. Within that framework, the Governing Council may wish to maintain the Working Group of Experts on Environmental Law, as presently composed, as a body for dealing with general topics in the field of environmental law (e.g. liability and compensation) requiring long-term work, with ad hoc working groups of experts on specialized subject areas, e.g. ozone, wastes and chemicals, being maintained or established as the need arises.

30. In addition to dealing with general topics, the Working Group could also, in a manner similar to its previous role as the Preparatory Committee for the Montevideo meeting, usefully assist the Executive Director in the preparatory work for the Governing Council's review of the implementation of the programme for the development and periodic review of environmental law, which in accordance with decision 10/21 is planned for 1985.

31. The Governing Council may wish to approve the continuation of the Working Group of Experts on Environmental Law and entrust it with the task of developing principles or guidelines with regard to the concept of non-discrimination in administrative and judicial proceedings on potentially polluting activities which were identified by the Montevideo meeting as the initial action for the topic of legal and administrative mechanisms for the prevention and reduction of pollution damage.

32. Action taken with regard to the preparation and organization of the meetings called for in decision 10/24 is reported in chapter IV of the annual report of the Executive Director (UNEP/GC.11/2). In this connexion, it is proposed that, to ensure steady progress in the development and adoption of guidelines or principles, the number of the meetings on these topics be increased as follows: On marine pollution from land-based sources, one meeting in 1983 and two meetings in 1984; on transport, handling (including storage) and disposal of toxic and dangerous wastes, two meetings in 1984; and on international trade in potentially harmful chemicals, one meeting each in 1983 and 1984.

33. The work on marine pollution from land-based sources should keep pace, to the extent possible, with the relevant activities of the Regional Seas Programme, so that it makes a timely contribution to the regions concerned. For example, negotiations at the expert level have begun on a protocol concerning land-based pollution in the South-East Pacific, and a similar activity is being discussed for the Kuwait Action Plan region.

34. The Governing Council may wish to take note of and approve the implementation plan for decision 10/24 as described above.
