

EDITORIAL

World-wide public concern over the quality of environmental protection is not decreasing despite energy and inflation problems.

A national public opinion survey released in October 1980 by the US President's Council of Environmental Quality, showed that national efforts to control pollution, regulate new chemicals and develop environmentally safe energy sources, are supported by a strong majority of the American public. Indeed, 73% of those surveyed considered themselves to be "environmentalists", and 42% felt that environmental protection is so important that continuing improvement must be made regardless of cost.

Nevertheless, President Reagan in his election campaign (see *Environmental Policy and Law*, 6 (3) 1980 p. 109) and since, by his appointment of James Watt as Secretary of the Interior (the Minister responsible for all the "classical" environmental questions — wildlife, parks, etc.), has shown that he intends to take a different approach with regard to environmental matters. The appointment was the subject of much criticism, since for the last three years Watt has been a member of a law firm which has brought several law suits against the Department of the Interior. Recently, his firm persuaded a Federal District Court to rule that the Departments of Interior and Agriculture could not refuse to consider applications for exploratory oil and gas drilling leases on federal land that is being considered for reclassification as wilderness. Watt has said that he wants "to bring some dramatic changes to federal land management" and in changing some of the personnel in his new Department made it clear that in future, emphasis will be given to resource exploitation. This will indeed be a big policy change, as the Interior Department was generally recognized as being effective in its environment protection policy.

Although conservation of the environment can only be implemented through a political will backed by the necessary legal instruments and a minimum of personnel and financial means, there are some countries which have achieved much without a written policy or legislation. There are, however, several more where even with enough law on paper, implementation gaps are evident, since the other pre-requisites are missing. But there are other unaccountables, as can be seen by the next example:

UNEP, shortly after it established the Mediterranean Action Plan — which most people feel to be progressing even better than expected, spent substantial resources on a similar plan for the Gulf region, the Kuwait Action Plan.

The Gulf Region of the Middle East is acknowledged to be one of the ecologically most fragile areas of the world. Although the eight Gulf States are, in principle, prepared to undertake some action to fulfill the obligations under the treaty (see *Envi-*

ronmental Policy and Law, 4 (2) 1978, p. 81 and 4 (3) p. 133), the conference, which has always had preparatory difficulties and at which it was planned to establish the detailed strategy to deal with these problems, has had to be postponed indefinitely as a result of the Irani-Iraqi war. Unfortunately, this may mean even longer-lasting consequences for the environment than much of the war damage.

Yet another reason for a lack of efficiency has been reported from Rome, from the Food and Agricultural Organization of the United Nations (FAO) which is also concerned with environmental matters. In the words of the General Director of FAO, the extent of absenteeism due to illness in the organization has reached a level at which the whole efficiency of FAO is being threatened. His statement comes as a result of the so-called "secret" study carried out which names "chronic alcoholism" as being at the root of the problem. The study says, *inter alia*, that 20% of FAO personnel have liver damage; that the number of those having to be pensioned off early as a result of illness is 30% higher than in other UN organizations; and that for October '79 the average daily rate of absenteeism due to illness was 200!

The General Director asked all department heads to investigate cases of more than average absence and to take the necessary action. However, those with an intimate knowledge of FAO say that the present situation can only be substantially improved by an increase in employee morale, itself dependent on the general atmosphere prevailing in the organization, which is known to have deteriorated greatly during the past few years.

Since our field is both policy and law we feel obliged to report on such implementation gaps and the different reasons for these; and although a journal could be filled with such information, we have decided to limit ourselves to a few glaring examples and to do this in the Editorial.

Finally, there is one positive development:

The UNEP Working Group of Experts on Environmental Law met in Geneva from 2–13 February 1981, and completed its considerations on the problem of marine pollution resulting from off-shore mining and drilling within the limits of national jurisdiction (see *Environmental Policy and Law*, 6 (4) 1980, p. 155). At its latest session the Group finalized and adopted all the draft conclusions for parts 1–4 (see *Selected Documents*, p. 50).

The Group now has time to prepare the Senior Level Meeting of Experts on Environmental Law scheduled for September 1981 (see *Environmental Policy and Law*, 4 (3) 1979, p. 147 and *ibid.*, 6 (4) 1980, p. 154), which may, however, have to be postponed until November 1981 as the government of Sweden has given US \$200,000 to enable regional pre-conferences to take place (UNEP's Executive-Director having said that he has no funds available).

Sweden is not only to be commended for this action, but also for a first allocation of US \$50,000 to the special fund the UN established within the ECE for the follow-up work to the treaty on long-range air pollution. □