

SELECTED DOCUMENTS

UNEP/22nd Session

Governing Council/Global Ministerial Environment Forum*

– Decisions –

22/1** Early warning, assessment and monitoring

- I. Strengthening the scientific base of the United Nations Environment Programme
- II. Global assessment of the state of the marine environment
- III. United Nations Environment Programme World Conservation Monitoring Centre
- IV. Post-conflict environmental assessments
- V. Environment in the Occupied Palestinian Territories

22/2** Water

- I. Water policy and strategy of the United Nations Environment Programme
- II. Global Programme of Action for the Protection of the Marine Environment from Land-based Activities
- III. Regional Seas Programme (Regional seas strategies, Northwest Pacific Action Plan, Northeast Pacific Action Plan – Antigua Guatemala Convention, Abidjan Convention, and South-East Pacific Action Plan - Lima Convention)
- IV. Coral reefs
- V. Marine safety and protection of the marine environment from accidental pollution

22/3** Climate and atmosphere

- I. Adaptation to climate change
- II. Intergovernmental Panel on Climate Change

22/4** Chemicals (Rotterdam Convention, Stockholm Convention, Lead, Strategic approach to interna- tional chemicals management, and Mercury programme)

22/5** Enhancing the role of the United Nations Environ- ment Programme on forest- related issues

* Nairobi, 3–7 February 2003. See page 58.

** For the full text of this decision please refer to *IPE Conservation in Sustainable Development*, Oceana Publication, Inc., Dobbs Ferry, New York.

22/6 Promotion of sustain- able consumption and produc- tion patterns

The Governing Council,
Recalling paragraph 14 of the Plan of Implementation of the World Summit on Sustainable Development,¹ which states that fundamental changes in the way societies produce and consume are indispensable for achieving global sustainable development. All countries should promote sustainable consumption and production patterns, with the developed countries taking the lead and with all countries benefiting from the process, taking into account the Rio principles including, inter alia, the principle of common but differentiated responsibilities as set out in principle 7 of the Rio Declaration on Environment and Development. Governments, relevant international organizations, the private sector and all major groups should play an active role in changing unsustainable consumption and production patterns,

Recalling also the work undertaken by the United Nations Environment Programme since 1992 to promote cleaner production, pollution prevention and sustainable consumption, in cooperation with other United Nations organizations and other stakeholders,

Recognizing the results in the field of cleaner production, pollution prevention and eco-efficiency already achieved and documented in regular progress reports published on the occasion of the biannual high-level conferences on cleaner production, and the remaining and emerging challenges with respect to sustainable consumption and production,

1. **Requests** the Executive Director to strengthen sustainable consumption and production activities of the United Nations Environment Programme within its existing mandate and subject to available resources, and consistent with the recommendations adopted at the World Summit on Sustainable Development;

2. **Requests** the Executive Director to strengthen existing eco-efficiency, cleaner production and sustainable consumption programmes, such as the United Nations Environment Programme's regional cleaner production roundtables and its partnership with the Society of Environmental Toxicology and Chemistry, including facilitating the transfer of environmentally sound technologies, especially to developing countries and countries with economies in transition, and activities to stimulate the

design of sustainable products and services;

3. **Invites** the Executive Director to build upon the United Nations Environment Programme's existing activities and initiatives with relevant governmental institutions and the private sector, including with the finance sector, tour operators and the telecommunications industry, to contribute to strengthening the role of business and industry in promoting sustainable consumption and production patterns;

4. **Requests** the Executive Director to support initiatives and activities to enhance corporate responsibility and accountability, within the existing mandate of the United Nations Environment Programme, as referred to in paragraphs 18 and 49 of the World Summit Plan of Implementation;

5. **Requests** the Executive Director to develop and facilitate consumer awareness campaigns and provide information to Governments to assist in implementing sustainable consumption approaches, such as those contained in the United Nations Guidelines for Consumer Protection;²

6. **Requests** the Executive Director to further develop training, awareness raising and capacity-building programmes in support of Governments, local authorities and business and industry, in particular in developing countries and countries with economies in transition, on sustainable production and consumption in cooperation with other relevant United Nations organizations and international intergovernmental organizations;

7. **Requests** the Executive Director, in implementing the present decision, to take fully into account, inter alia, gender issues and differing circumstances in regions and countries, in particular the characteristics, development needs and capabilities of developing countries, particularly small island developing States and countries with economies in transition, so that all countries can benefit from the process, by setting up, or contributing to, regional programmes, building upon existing networks and activities;

8. **Requests** the Executive Director, within the mandate of the United Nations Environment Programme, to take an active role, working in cooperation with Governments, other relevant United Nations organizations and intergovernmental organizations and involving other stakeholders, in pursuit of the development of a 10-year framework of programmes in support of regional and national initiatives to accelerate the shift to sustainable consumption and production patterns, as set out in para-

graph 15 of the Plan of Implementation, and to bring forward at the next special session of the Governing Council/Global Environment Ministerial Forum, in 2004, a report on its activities, with regular reporting thereafter;

9. **Requests** the Executive Director to report to the Commission on Sustainable Development, as appropriate, on the progress of the work done;

10. **Invites** Governments to provide financial and technical assistance and capacity-building to enable developing countries and countries with economies in transition, especially least developed countries, to take an active part in these activities.

22/7** Engaging business and industry

22/8** Further improvement of environmental emergency prevention, preparedness, assessment, response and mitigation

22/9** Support for Africa

22/10** Poverty and the environment in Africa

22/11 Sustainable development of the Arctic

The Governing Council,

Recognizing the increasing global importance of the Arctic in a global environmental context,

Noting with satisfaction the inclusion of concerns relevant to the Arctic in the Plan of Implementation of the World Summit on Sustainable Development, especially those dealing with ocean issues, sustainable use of natural resources, the eradication of poverty among indigenous communities, the impact of climate change, persistent organic pollutants and heavy metals,

Recognizing the important work of the Arctic Council in protecting the environment and supporting sustainable development in the Arctic,

Noting the relevance of both the United Nations Environment Programme's global assessment of mercury and persistent organic pollutants, and the third Global Environment Outlook report to the Arctic region,

Welcoming the cooperation agreement between the United Nations Environment Programme and the Arctic University,

Also welcoming the work by the Global Resource Information Database at Arendal, the key polar centre of the United Nations Environment Programme, on preparation of information on environment and sustainable development issues in the Arctic, in particular those relating to health and the environment for indigenous people, prepared in cooperation with the World Health Organization,

1. **Encourages** continued cooperation between the United Nations Environment Programme and the Arctic Council, Arctic parliamentarians, the Indigenous Peoples Secretariat and the private sector, and continued support from the United Nations Environment Programme as an implement-

ing agency of the Global Environment Facility funded portfolio of projects addressing water, climate change, biological diversity, pollution and health issues in the Arctic;

2. **Requests** the Executive Director to provide continuous assessments and early warning on emerging issues related to the Arctic environment, in particular its impact on the global environment.

22/12** Brussels Declaration and the Programme of Action for the Least Developed Countries for the Decade 2001-2010

22/13** Small island developing states

22/14** Role of the United Nations Environment Programme in strengthening regional activities and cooperation in the Economic Cooperation Organization subregion

22/15** International year of deserts and desertification

22/16** Environment and cultural diversity

22/17 Governance and law

I. Follow-up to General Assembly resolution 57/251 on the report of the seventh special session of the United Nations Environment Programme Governing Council/Global Ministerial Environment Forum

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II. Implementation of the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century (Montevideo Programme III)

A. Follow-up to the Global Judges Symposium focusing on capacity-building in the area of environmental law

The Governing Council,

Recalling the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century³ and its decision 21/23 of 9 February 2001, which called on the Executive Director to promote the effective implementation of, compliance with and enforcement of environmental law, and towards this end to strengthen the capacity of various stakeholders, including members of the judiciary,

Recalling the six regional judges' symposiums on environmental law convened by the United Nations Environment Programme in collaboration with several partner agencies in Africa, South Asia, South-east Asia, Latin America and the Caribbean and the Pacific Island States during the

period 1996-2001, which laid a strong foundation for judicial capacity-building in the regions and which called on the United Nations Environment Programme to convene a global judges' symposium on the role of law and sustainable development,

Taking note of regional experiences of the United Nations Environment Programme in the development of environmental laws,

Noting with appreciation the convening of the Global Judges' Symposium on the Role of Law and Sustainable Development in Johannesburg, from 18 to 20 August 2002, with the participation of over 122 high-ranking judges from more than 60 countries around the world, and noting the adoption by them by acclamation of the Johannesburg Principles on the Role of Law and Sustainable Development⁴ as a contribution from the Global Judges' Symposium to the World Summit on Sustainable Development, and the presentation of the Johannesburg Principles to the Secretary-General of the United Nations by the Chief Justice of South Africa,

Taking note of the report of the Executive Director on the Global Judges' Symposium on the Role of Law and Sustainable Development and its outcome (UNEP/GC.22/INF/24),

Recognizing the existing expertise of relevant organizations working at the international, regional, national and local levels in the field of environmental law,

1. **Extends** its deep appreciation to the Government of South Africa and the host of the Global Symposium, the Chief Justice of South Africa, for the excellent arrangements made for the successful conduct of the Symposium, and to the Executive Director for taking this important initiative;

2. **Calls** on the Executive Director to support, within the framework of the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century and within available resources, the improvement of the capacity of those involved in the process of promoting, implementing, developing and enforcing environmental law at the national and local levels such as judges, prosecutors legislators and other relevant stakeholder, to carry out their functions on a well informed basis with the necessary skills, information and material with a view to mobilizing the full potential of the judiciaries around the world for the implementation and enforcement of environmental law, and promoting access to justice for the settlement of environmental disputes, public participation in environmental decision-making, the protection and advancement of environmental rights and public access to relevant information;

3. **Encourages** Governments and international financial institutions to assist developing countries and countries with economies in transition by providing funding for capacity-building as described in operative paragraph 2 above;

4. **Encourages** the Executive Director to work in partnership with relevant organizations in the design and implementation of these capacity-building activities;

5. **Requests** the Executive Director to report to the Governing Council, at its twenty-third session, on progress in the implementation of the present decision. ➔

B. Enhancing the application of principle 10 of the Rio Declaration on Environment and Development

The Governing Council,

Recalling principle 10 of the Rio Declaration on Environment and Development,⁵ the Malmö Ministerial Declaration,⁶ and its decisions 20/4 of 4 February 1999, 20/6 of 5 February 1999 and 21/24 of 9 February 2001,

Recalling 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,

Taking note of the Plan of Implementation of the World Summit on Sustainable Development in particular paragraphs 162 to 167,

Noting recent developments at national, regional and international levels in the application of principle 10 of the Rio Declaration on Environment and Development,

1. **Notes**, with appreciation, the action taken by the Executive Director to provide policy and advisory services in key areas of institution-building in support of developing countries and countries with economies in transition;

2. **Requests** the Executive Director to intensify efforts in the provision of policy and advisory services in key areas of capacity and institution-building, including access to information regarding legislation, regulations, activities, policies and programmes, and public participation in sustainable development policy formulation and implementation, including the promotion of public participation at the local and national levels in policy and programme development and implementation and in support of efforts by Governments, in response to requests, in cooperation with other organizations active in this field for assistance in the application of principle 10 of the Rio Declaration on Environment and Development at the local and national levels;

3. **Requests** the Executive Director to assess the possibility of promoting, at the national and international levels, the appli-

cation of principle 10 of the Rio Declaration on Environment and Development and determine, inter alia, if there is value in initiating an intergovernmental process for the preparation of global guidelines on the application of principle 10;

4. **Invites** Governments and relevant intergovernmental and civil society organizations to participate actively in the above process, and invites those who are in a position to do so to provide financial or other contributions in support of the process;

5. **Requests** the Executive Director to submit a report to the Governing Council at its twenty-third session on the progress made in the preparation of the guidelines.

C. Status of international conventions and protocols in the field of the environment

The Governing Council,

Having considered the report of the Executive Director on the status of international conventions and protocols in the field of the environment (UNEP/GC.22/3/Add.2) and the note of the Executive Director on changes to the status of ratification of and/or accession to conventions and protocols in the field of the environment (UNEP/GC.22/INF/12),

Recalling its decision 24 (III) of 30 April 1975 and General Assembly resolution 3436 (XXX) of 9 December 1975,

1. **Invites** States that have not yet done so to consider signing, ratifying or acceding to conventions and protocols in the field of the environment expeditiously and to proceed with their implementation;

2. **Calls** on States and organizations that are in a position to do so to provide the secretariat of the United Nations Environment Programme with information on new conventions and protocols in the field of the environment as well as information on any changes to the status of the existing conventions and protocols in the field of the environment;

3. **Authorizes** the Executive Director to transmit chapter VI of the report of the Executive Director and the note of the Executive Director, on its behalf, together with comments made by delegations thereon, especially on the need for institutional capacity-building, to the General Assembly at its fifty-eighth session, in accordance with resolution 3436 (XXX).

D. Implementation of the Montevideo Programme III

The Governing Council,

Requests the Executive Director to provide to the Governing Council at its twenty-third session a comprehensive report on the implementation of the Programme for the Development and Periodic Review of Environmental Law for the First Decade of the Twenty-first Century, (Montevideo Programme III).³

22/18** Civil society

- I. Amendment to rule 69 of the Rules of Procedure of the Governing Council
- II. Long-term strategy on engagement and involvement of young people in environmental issues
- III. Long-term strategy for sport and the environment

22/19** Amendments to the instrument for the establishment of the restructured Global Environment Facility

22/20** Environment Fund budget: proposed biennial programme and support budget for 2004-2005

22/21** Regional implementation of the programme of work of the United Nations Environment Programme

22/22** Revision of the Financial Rules of the Fund of the United Nations Environment Programme, of the General Procedures governing the Operations of the Fund of the United Nations Environment Programme, of the General Guidelines for the Execution of Projects, and of the Institutional and Financial Arrangements for International Environment Cooperation

22/23** Administrative matters

- I. Management of trust funds and counterpart (earmarked) contributions
- II. Loan from the Environment Fund financial reserve

22/24** Provisional agenda, date and place of the eighth special session of the Governing Council/Global Ministerial Environment Forum and the twenty-third session of the Governing Council/Global Ministerial Environment Forum

Notes

¹ 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.

² General Assembly decision 54/449, annex.

³ See UNEP/ENV.Law/4/3.

⁴ UNEP/GC.22/INF/24, annex.

⁵ 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."

⁶ Governing Council decision SS.VI, annex.

