

TOWARDS ENHANCED COOPERATION OF UNECE MEAs: Informal guidance

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This informal guidance on achieving enhanced cooperation between the United Nations Economic Commission for Europe (UNECE) multilateral environmental agreements (MEAs) has been elaborated through a series of informal meetings between the representatives of the governing bodies of the UNECE MEAs and of the Committee of Environmental Policy, held on 22 November 2011, 16 April 2012 and 27 February 2013. This document is intended to remain flexible and to undergo further development, particularly through the addition of specific actions to achieve enhanced cooperation.

1. Introduction

The main aim of UNECE's environment activities is to safeguard the environment and human health and to reduce pollution so as to minimize environmental damage and avoid compromising environmental conditions for future generations, and also to promote sustainable development in its member countries in line with Agenda 21. UNECE has to tackle a wide range of environmental challenges. The UNECE multilateral environmental agreements (MEAs) provide cornerstones for a strategy concerning environmental policies in the UNECE region and beyond as some of them are or will be open for membership by non-UNECE member countries. They offer legal frameworks and policy solutions to encourage international cooperation, strengthen governance, democracy, transparency and accountability, reduce emissions, and promote resource efficiency and sustainable growth.

There is a strong interdependency between the subjects which are covered by the MEAs. Not only in terms of the content of the subjects and the linkages between them, but also in terms of the same target groups, the supporting activities, finances etc. Although it is recognized that significant contributions have been made by the individual MEAs, it is becoming more and more evident that current environmental challenges can be more effectively addressed in an integrated manner that would involve not only further coordination and cooperation between the MEAs but also the practical use of synergies among them as well as with the Committee on Environmental Policy (CEP), other subprogram's of the UNECE, and relevant other organizations of the UN system and beyond.

This document describes a strategy for enhanced cooperation to achieve synergies among MEAs with the aim of achieving a robust, coherent and transparent approach that can effectively address present and future challenges.

2. The UNECE Multilateral Environmental Agreements

UNECE has negotiated five environmental conventions and connecting protocols, most of them in force. Their governing bodies are serviced by the UNECE secretariat.

The UNECE MEAs support to the UNECE environment aims which can be shortly described as:

- The Convention on Long-range Transboundary Air Pollution (Air Convention) and its protocols set emission targets by promoting the adoption of low-emission technologies, help drive technological innovation, protect human health by reducing exposure to harmful pollutants and seek to maximize

benefits for improving public and ecosystem health public and ecosystem health by exploiting the synergies with climate change mitigation.

- The Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) increases the transparency of decision-making at project level and promotes resource efficiency in a transboundary context. Its Protocol on Strategic Environmental Assessment (SEA Protocol) provides a unique and important instrument for planning and policymaking related to greening the economy: it integrates environmental, including health, considerations into the development of plans and programmes while also strengthening public participation in the governmental decision-making process.
- The Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) promotes the equitable and reasonable use of water resources through the integration of water in development and sectoral policies, in particular food and energy-related policies, thereby fostering resource efficiency in the transboundary context, and under climate change challenges/conditions. Its Protocol on Water and Health is a powerful tool to ensure universal access to safe water supply and adequate sanitation, with a special focus on health and equity aspects.
- The Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) promotes policy and governance solutions to protect human life and the environment from the effects of industrial accidents. Together with industry, it fosters the development and implementation of safe operation technologies and safety techniques or services to continuously improve prevention of, preparedness for and response to industrial accidents.
- The Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (not yet in force) to the Water and Industrial Accidents Conventions fills one of the major gaps in international environmental legislation and solves the problem of uncompensated damage in neighbouring countries. In addition, by encouraging companies to take measures to prevent damage they will henceforth be liable for, the Protocol will help to prevent accidents from happening in the first place and limit their adverse effects on people and the environment.
- The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and its Protocol on Pollutant Release and Transfer Registers (PRTR Protocol), which are open for global accession, offer powerful twin protections for the environment and human rights. They provide effective models for ensuring public input in defining and implementing green economy programmes and in choosing the most appropriate roadmaps to sustainability and for increasing transparency and government accountability, thereby putting Principle 10 of the Rio Declaration into practice and paving the way for its universal application.

3. Conditions for cooperation, synergy and harmonization

Each MEA has its own legal framework and goals. Encouragement and enhancement of cooperation between the conventions does not mean that the unique position and sovereignty of each convention will be touched or influenced. Cooperation should increase the value for resources, either in money or human and, should be, as far as possible complementary and should lead to mutual strengthening. Cooperation must be connected to priorities of the individual convention. Silent competition for financing must be

avoided. There is no room either for artificial cooperation. Bottom line: cooperation between the MEAs where possible and appropriate and where added value can be achieved. Cooperation however will only be successful when there is willingness to cooperate from all sides. These are important conditions.

4. Opportunities for enhanced cooperation of MEAs

Enhanced cooperation of the MEAs can be achieved through the following approach:

Analyzing the common ground between the goals, priorities, implementation and realization of the MEAs in order to develop the possibilities for enhanced cooperation, harmonization and synergy. This will contribute to further strengthening the effectiveness of the MEAs and will lead to an increase in the cost effectiveness of their realization. The facets of mutual support and assistance, their organization, joint activities and resources will be addressed in enhancing cooperation among the MEAs.

Looking into the goals, activities and processes of the MEAs, important opportunities can be identified for cooperation, harmonization and synergy. The discussions on cooperation and synergies could be seen at three levels: i) among MEAs' secretariats, ii) the MEAs Bureaux and governing bodies; iii) among focal points at the national level. Enhanced cooperation could not only reduce the burden of the work at these three levels, further increase its efficiency and effectiveness but could also facilitate the work at these levels. Some opportunities may be specific to certain subject or to specific country/region, but progressing on these issues could also lead to a more evenly distribution of the workload of secretariats, governing bodies and participating countries in meetings to enable all of them to use their resources as efficiently and effectively as possible.

The following (non-limitative) opportunities could be identified for achieving synergies and harmonization of the activities among the MEAs. They are presented as a clustered breakdown in four groups: mutual support and assistance, organisation, joint activities and resources.

MEAs mutual support and assistance

In the years of MEAs implementation and realization important experience and knowledge have been gathered by the countries - parties to the conventions, their governing bodies and secretariats. Systematic and demand-driven exchange of experience and knowledge could be an important element in achieving synergies through enhanced cooperation and may relate to:

- discussing how to make the work of the MEAs as a whole more robust and efficient;
- identifying beneficiaries' needs, priorities, exchanging ideas and discussing existing and emerging challenges with the aim to ultimately turn them into opportunities;
- building on achievements and making use of the existing tools to establish synergies and back up each other;
- exchanging experience and approaches on implementation, reporting and compliance, consider tools such as a joint convention website with the appropriate level of information (such as the text of the Conventions, work programmes and the calendar of meetings, questions and answers related to specific topics, joint workshops etc.);

- addressing specific challenges, i.e. funding strategies, specific instruments/tools/approaches used to enhance the effectiveness of the convention.

MEAs organization

Exchange of information on MEAs organization with a view to introducing - where justified and appropriate - adjustments and harmonization of plans and approaches, appearance and form, planning procedures, calendars and terminology could be important elements in achieving synergies and may relate to:

- exchanging information and good practices on the organizational structures, including the opportunity for public participation, under the agreements. This could include the streamlining of these structures for example by reducing where appropriate the number of MEA bodies and the frequency of their meetings exploring possibilities for changes in the calendar of meetings so that the secretariat could more evenly distribute the meetings that it services throughout the year. Back-to-back meetings should be considered, where appropriate;
- reviewing the concept and the design of the workplans/programmes and to see if and where harmonization is possible and appropriate. The review of the duration of the plan can also be considered in light of possible harmonization;
- exploring possibilities for cooperation as expert groups within the scientific support and work on identified areas of joint interest (like air pollutants (Air Pollution Convention), hazardous substances (Industrial Accidents Convention) and Pollutant Release and Transfer Registers;
- seeking synergies with CEP and Environmental Performance Reviews (EPRs). Their reviews are good instruments to use as they include a chapter on international cooperation and monitoring. These assessments of the progress made by the countries can be raised during the meetings of the governing bodies. Also convention experts can participate in selected EPRs;
- exploring the harmonization (length, numbers and need for translation) of documents and publications as produced by the MEAs and to aim at a significant reduction of the number of printed items and move to electronic publications.
- enhancement of MEAs websites in terms of their significance in providing information in view of the planned reduction in issuing paper and printed documents. Also giving up the official status in cases of documents of background nature may be considered;
- exploring possibilities for developing joint calendars of meetings and planned workshops in a table with links on the homepage of the conventions through a joint convention webpage.

MEAs joint activities

Opportunities for the identification, planning and execution of activities to be jointly undertaken by two or more conventions – such as joint seminars, projects, awareness raising activities, outreach activities – may relate to:

- cooperation in the promotion of the MEAs and advocacy (awareness-raising events can be shared across the five instruments);

- improving outreach and promotion in UNECE countries and beyond to share the arguments for and approach to delivering assistance to these countries in a coordinated and mutually supportive manner;
- enhancing collaboration in addressing the needs of countries with economies in transition;
- discussing and identifying possible joint activities towards a country, region or related to a specific thematic area, including the needed human and financial resources;
- turning identified joint activities into joint projects (also in the context of lack of resources in the donor countries (doing more for less). Including in the individual workplans joint activities and/or projects of two or more MEAs together with needed human and financial resources;
- preparing of the workplans of the individual MEAs, sharing them among the Bureaux before their adoption for identifying synergies and for further consultation concerning possibilities for mutual activities like projects, awareness raising activities, joint financing of activities where appropriate or adjusted fund raising etc.

MEAs' resources

Opportunities aiming at robustness in ensuring financial and human resources for the realisation of MEAs may relate to:

- discussing the existing funding mechanisms, exchanging experiences and exploring possibilities for cooperation in fund raising, aiming at long-term, predictable and appropriate financial resources. Include in this discussion options for countries to donate for earmarked and non-earmarked activities;
- identifying ways and means to strengthen ratification of, accession to and implementation of the MEAs in the context of financial crisis and to create a financial robustness;
- identifying synergies that could help to address financial constraints that new protocols are experiencing;
- exchanging views on how to involve new donor countries to decrease the dependency on a limited number of donors for voluntary contributions;
- identifying the various experience and possible accounting methods to properly foresee, address and integrate the needs in human and financial resources to ensure the full implementation of work programmes adopted by governing bodies;
- exploring the provision of additional extrabudgetary resources to meet the growing demands from an increasing number of Parties, in particular in view of opening some agreements beyond the UNECE region, and increasing demands for capacity-building and advisory activities from future Parties to the Conventions and protocols.

5. Further steps for enhanced cooperation of MEAs

For the enhancement of the cooperation of the five MEAs in a comprehensive manner, the following future steps are proposed:

- to continue with the informal meeting of the five conventions and their protocols, upon demand. The meeting could task itself to further analyze the breakdown of possibilities for cooperation and synergies. to task the secretariat with supporting the informal meeting;
 - to task to the members of the Bureaux of MEAs with supporting the informal meeting by preparing analysis of the breakdown of possibilities for cooperation and synergies;
 - based on the analysis the informal meeting could elaborate recommendations for achieving synergies among MEAs including realistic time schedules for implementation, to be considered by bodies to which the recommendations may concern – especially the Bureaux and the secretariat;
 - the meetings of the five conventions and their protocols to review and consider the recommendations and to provide the Bureaux of the Conventions with advice for proposals that the Bureaux could communicate to their governing bodies for their possible decisions.
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