

# **UNEP GUIDELINES AND MANUAL ON COMPLIANCE WITH AND ENFORCEMENT OF MULTILATERAL ENVIRONMENTAL AGREEMENTS**

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## **1 INTRODUCTION**

International environmental law is maturing. After decades of developing international environmental agreements, norms, and institutions, there is a paradigm shift from normative development toward implementation. The UNEP Special Session of the GC held in 2000 and the subsequent World Summit on Sustainable Development (WSSD) held in 2002 marked this shift. The UNEP Special Session recognized central importance of environment, compliance, enforcement and liability as well as capacity building while WSSD emphasized that specific measures need to be undertaken to achieve concrete implementation of environmental goals articulated over the previous three decades. A few months before the WSSD, the Governing Council (GC) of the United Nations Environment Programme (UNEP) adopted Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements (MEAs). Since then, UNEP has actively promoted the use of the Guidelines to improve implementation of MEAs around the world. This chapter provides an overview of the Guidelines, as well as a Manual that UNEP is developing to facilitate use of the Guidelines.<sup>1</sup>

## **2 THE GUIDELINES**

UNEP developed the Guidelines through an evolving, participatory process. In recognizing the need to promote effective implementation, compliance and enforcement of environmental law including MEAs, and a broad range of international legal instruments bearing on environmental issues, the UNEP GC adopted a Programme for the Development and Periodic Review of Environmental Law.<sup>2</sup> With growing interest in the topic, UNEP developed elements of draft Guidelines in 1999 and convened a Working Group of Experts on Compliance and Enforcement of Environmental Conventions. The experts recommended that the Guidelines be divided into two sections, one that addressed compliance issues and the other that addressed enforcement and environmental crimes. UNEP submitted the draft Guidelines to Governments for their review and comment. In 2000 and 2001, UNEP convened two advisory group meetings (one in Nairobi and one in Geneva), in which MEA Secretariats also participated. Based on the feedback from these meetings, UNEP refined the Guidelines.

On 22-26 October 2001, UNEP convened an intergovernmental working group of experts. All governments were invited, and ultimately 78 governments participated in finalizing the Guidelines at this working group. The UNEP GC adopted the Guidelines in February 2002.<sup>3</sup>

The Guidelines seek to promote implementation of a broad range of MEAs, present and future. This includes agreements on everything from hazardous wastes and chemicals, to desertification and land degradation, to biodiversity and wildlife, to climate change and depletion of the ozone layer.

The Guidelines are necessarily non-binding and advisory, and they do not affect MEA obligations in any way. In order to be relevant to a broad range of MEAs, the Guidelines set forth a “tool box” of actions, approaches, and measures to strengthen the international and national implementation of MEAs. As such, the Guidelines seek to inform and improve the

manner in which Parties implement their MEA commitments. Thus, the selection and application of specific tools in the Guidelines to the specific context of a particular MEA will depend on the characteristics of that MEA, as well as the context of the country, countries, or organization seeking to apply the tools.

The Guidelines include an introduction and two chapters, one on compliance and on enforcement. The substantive division of the Guidelines into compliance and enforcement reflects the conceptual framework articulated by the experts and refined by the Government representatives participating in the development of the Guidelines. The experts divided implementation measures into two broad categories: those actions that relate to whether a Party (i.e., a nation) is in compliance with an MEA, and those on-the-ground actions that a Party takes to implement an MEA. Consequently, the other former set of actions relates primarily to the international context and whether a nation is in good standing with the other Parties, and the latter set of actions relates primarily to the national context and the actual application of the agreement at national level. As will become readily apparent, though, while these generalities hold, there is a certain amount of overlap.

The compliance guidance addresses the entire process of developing and implementing MEAs. The Guidelines recognize that if a country is not adequately prepared for negotiations of an MEA, the final negotiated requirements may not reflect that country's capacity (or lack thereof) to implement and comply. Thus, Guideline 10, for instance, seeks to promote effective preparation for negotiations through regular exchange of information, consultations between negotiating sessions, workshops on compliance, and intra-governmental coordination among relevant institutions. Guideline 10 also highlights the need to promote synergies and avoid overlaps. Although the Guideline focuses on the specific context of negotiating new instruments, in practice this is a much broader concern.

Guidelines 11 and 12 seek to promote effective participation in negotiations. Specific approaches include identification of the relevant geographical scope and scale; mechanisms to facilitate participation in negotiations, strategic approaches to encourage participation in a multilateral agreement, and assessment of domestic capacities to implement the MEA.

The Guidelines set forth a range of institutional mechanisms and approaches to promote compliance. Some of these may be included in the text of an MEA, while others may be adopted by the MEA Conference of the Parties, Secretariat, or other competent body. Such mechanisms include: reviews of implementation and effectiveness; national implementation plans; reporting, monitoring, and verification; noncompliance mechanisms and procedures; and dispute settlement. The Guidelines address these approaches in varying levels of detail, but as with other tools the Guidelines emphasize that the approaches set forth are voluntary and advisory.

In contrast with the previous approaches, many of which have a moderate amount of detail, the Guidelines addressing national measures to implement MEAs (Guidelines 18-32) are relatively brief. These national measures include preparatory measures such as compliance assessment and developing a compliance plan; as well as the standard complement of implementing laws and regulations; development of national implementation plans and enforcement programs. Other measures include use of economic instruments; appointment of national focal points; coordination of governmental authorities; improving the efficacy of national institutions; involvement of major stakeholders including communities, women, and youth; use of the media and other mechanisms to promote public awareness, and guaranteeing access to judicial and administrative proceedings. Most of these measures are expanded upon in the following chapter, dealing with enforcement (although national focal points and a few other provisions are not).

As alluded to earlier, this overlap results from the dual nature of national implementation measures. On one hand, national implementation is necessary for a Party to comply with its international obligations under the MEA, hence its inclusion in the Compliance chapter of the

Guidelines. At the same time, national implementation measures in the form of laws, institutions, and practices at the national and sub-national levels are the heart of the Enforcement chapter, hence its further elaboration there.

The Compliance chapter ends with a discussion of measures to promote capacity building, technology transfer, and international cooperation. These Guidelines highlight, *inter alia*, sharing of experiences, evaluating the effectiveness of technology transfer, model legislation and other guidance to implement MEAs, regional and sub-regional action plans to implement MEAs, cooperation among MEA Secretariats, engaging non-Parties, and other similar mechanisms.

Before discussing the Enforcement chapter, it is worth briefly revisiting the advisory nature of the Guidelines. Generally speaking, the language of the Guidelines is permissive: States, Parties, Secretariats, and others “may”, “can”, “could”, or otherwise might consider pursuing certain measures. The language is notable for its softness. That makes the few provisions that use “should” all the more notable. In a few instances, experts and Governmental representatives – remember, though, that the Guidelines were not a formally negotiated document – recognized that certain approaches and practices were critical. Accordingly, they were more explicit in stating that:

- MEA obligations “should be stated clearly” (14(a));
- “Care should be taken to ensure that data collection and reporting requirements are not too onerous and are coordinated with those of other multilateral environmental agreements.” (14(c));
- “Prior to ratification of [an MEA], a State should assess its preparedness to comply with the obligations of that agreement. If areas of potential non-compliance are identified, that State should take appropriate measures to address them before becoming a party to that agreement.” (18);
- “According to their respective national legal frameworks, States should enact laws and regulations” to implement MEAs, and these “[l]aws and regulations should be regularly reviewed ....” (20); and
- “Capacity-building and technology transfer should be consistent with the needs, strategies and priorities of the country concerned ...” (33(b)).

In the Enforcement chapter, Guidelines 40 and 41 also use “should” to denote a stronger imperative for nations in developing national laws, regulations, and institutional frameworks.

In contrast to the Compliance chapter, which emphasizes the international context, the Enforcement chapter focuses on specific measures to implement MEAs at the national level. The Enforcement chapter particularly seeks to “strengthen national enforcement and international cooperation in combating violations of laws implementing” MEAs.<sup>4</sup> In this context, “enforcement” encompasses a broad range of actions, starting with effective laws, regulations, and institutional frameworks, but also entailing concerted capacity building, public awareness and education, and international cooperation and coordination.

While the specific legal, social, economic, and cultural contexts of a nation affect compliance, the Enforcement chapter recognizes that national implementation and enforcement measures are most effective when they take into account the particular national context.<sup>5</sup> The Enforcement chapter provides a variety of considerations (e.g., clarity, feasibility, coordination, and authority) and a long list of approaches, tools, and arrangements. While in the aggregate these Guidelines are significantly more lengthy than the similar measures in the Compliance chapter, namely Guidelines 18-32, the Enforcement Guidelines tend to take the form of a long list.

The enumerated measures have proven to be relatively comprehensive: in more than three years of intense review and discussion following the adoption of the Guidelines, few (if any) practices or considerations have been raised that are not already provided for in the

Guidelines. This is due in large part to the broad range of experts, countries, and perspectives involved in elaborating the Guidelines. It is also due to the general nature of the Guidelines. For examples, the Guidelines provide two words regarding the potential role of certification systems in implementing MEAs: “certification systems.”<sup>6</sup> While most Guidelines provide a little more detail, the Guidelines are designed as an enumeration of considerations, approaches, and tools. In short, the Guidelines adopt a “tool box” approach, but they do not provide much guidance on how to use these tools, individually or in concert with other tools.

### **3 THE MANUAL AND OTHER RELATED ACTIVITIES**

When it adopted the Guidelines, the UNEP Governing Council sought to disseminate them to Governments, MEA Secretariats, international organizations, and other institutions involved in implementing MEAs. The GC also sought to promote use of the Guidelines through the UNEP work program, in close collaboration with States and international organizations. Thus, GC asked UNEP to strengthen capacity of developing countries, particularly the least developed countries and countries with economies in transition, to implement and enforce MEAs using, *inter alia*, the Guidelines.

In strengthening capacity of developing countries to implement and enforce MEAs, UNEP has pursued a three-pronged approach, pursuant to its work plan, that involves developing and refining a Manual, convening regional workshops, and conducting pilot projects. First, UNEP has developed a Manual that expands upon the tools set forth in the Guidelines. If the Guidelines are a “tool box,” then the Manual is a sort of “user’s guide” for those tools. Structured as an annotated commentary on the Guidelines and using clear simple language, the Manual provides explanatory text, case studies, checklists, references to additional resources, and annexes with supplementary information. UNEP initially developed the Manual as a desk study, and UNEP has revised the Manual following each regional workshop to take into account substantive, editorial, and formatting comments, as well as new case studies of national, regional, and international experiences highlighted in the workshops<sup>7</sup>. UNEP has also updated the Manual on a rolling basis to incorporate feedback from other events and reviewers.

Second, UNEP has convened a series of regional workshops on compliance with and enforcement of MEAs. At the time of writing, five regional workshops had been concluded for Asia and the Pacific, English-Speaking Caribbean, South East Europe, English-Speaking Africa, and the EECCA (Eastern Europe, Caucasus, and Central Asia) Region. The final three workshops – for Spanish-Speaking Latin America and the Caribbean, Francophone Africa, and Arab speaking in West Asia – will be held in the first half of 2005. Following these three workshops, UNEP will finalize the Manual, translate it into the UN languages, and disseminate it widely for use by governments, MEAs Secretariats and other stakeholders.

These workshops have two primary goals. The workshops seek to build capacity of developing countries to use the resources in the Guidelines and the Manual to improve compliance with and enforcement of MEAs. In this capacity, UNEP familiarizes participants with use of the Guidelines and Manual. In addition, MEA Secretariats play a key role in educating participants about best practices in implementing and enforcing their respective agreements. The workshops also facilitate an exchange of experiences within a region regarding how to develop, comply with, implement, and enforce MEAs. In this context, participants are able to learn from the experiences of countries with similar legal, social, cultural, and economic states of development. Through this exchange of experiences as well as specific discussions regarding the Manual, UNEP has been able to identify new case studies, explanatory text, and other ways to improve the Manual. As such, the workshops have facilitated the iterative revision and refinement of the Manual and helped to ensure regional balance and relevance.

The regional workshops have also provided a sustained dialogue regarding the challenges that developing countries face in complying with and enforcing MEAs, as well as

ways that countries can (and do) meet those challenges. It is not surprising that limited technical, financial, and personnel resources are a significant concern for many countries. Nevertheless, the vast majority of countries participating in the workshops have had at least a few – and in some cases, many – innovative experiences in developing, implementing, and enforcing MEAs. While resources remain a chronic and sometimes severe challenge, countries are developing a variety of creative mechanisms and institutions for the implementation and enforcement of MEAs.

Due to the limited resources that many developing countries face, the workshops have seen recurrent, widespread interest in a few general themes and approaches. For example, countries are interested in more efficient ways to implement their commitments. There is particular interest in synergies among related MEAs. These synergies may be thematic, so that a country may implement a cluster of related agreements through a single, holistic law. For example, a biodiversity law could implement the Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), the Convention on International Trade in Endangered Species (CITES), the Ramsar Convention on Wetlands, and the World Heritage Convention as well as related regional agreements. Rather than undertake five separate legislative reforms that could yield a patchwork of overlapping legislation, a country can go through a single process that yields a more effective law that addresses potential overlaps and conflicts in a deliberate fashion. Moreover, the length of time necessary to produce the larger law is generally perceived to be less than that necessary to develop a series of separate implementing legislation. Similar thematic clusters may occur in the context of hazardous substances and wastes, regional seas, and atmosphere.

Operational synergies are also possible, particularly in capacity building. For example, customs officers are at the front lines in regulating trade in endangered species, ozone-depleting substances, hazardous waste, and certain chemicals. While expert knowledge and comprehensive training are often necessary to discern legal from illegal trade, basic training and awareness raising of customs officers can go a long way in helping to identify potentially illegal trade. Accordingly, UNEP, INTERPOL, the World Customs Organization, and the Secretariats of five (and perhaps six) MEAs have launched the Green Customs Initiative to build and strengthen capacity of customs officers on trade-related MEAs. Other operational synergies may be seen in capacity building of the prosecutors and judges, who are charged with prosecuting and deciding cases dealing with potential violations of national laws implementing MEAs. As such, a general awareness of and sensitivity to MEAs can be essential to effective enforcement; and general training on MEAs may be more appropriate and cost-effective than MEA-specific training. Implementation of MEAs through clustering of related MEAs as well as operational synergies through training of custom officials, judges and magistrates and prosecutors would further encourage partnership collaboration and cooperation among MEAs Secretariats.

Finally, UNEP is undertaking a series of pilot projects to assist countries in complying with and enforcing MEAs. These pilot projects utilize the Guidelines and Manual in various ways, but they generally seek to build capacity and develop innovative approaches in three areas: the negotiation of MEAs, the implementation of MEAs through national legislation and regulations, and the practical implementation and enforcement of MEAs. Many of these activities emphasize synergies, particularly in developing laws and training customs officers and judges, but also in developing indicators of MEA implementation. A number of activities also highlight the importance of public participation in implementation of MEAs (another theme of the Guidelines, Manual, and workshops), for example in MEA negotiation, in the development of national reports, and in conducting transboundary environmental impact assessments. The pilot projects will be completed by the end of 2005.

#### **4 CONCLUSION**

The UNEP Guidelines have proven to be an important and timely set of tools to assist countries in implementing their MEA commitments. Held half a year after the Guidelines were adopted, both the WSSD and UNEP itself formally marked a shift of international focus from development toward implementation and enforcement of MEAs. Since then, many international and regional institutions have joined UNEP in promoting compliance and enforcement. Regions such as the UN/ECE have developed their own guidelines, building on UNEP's Guidelines. MEA Secretariats are developing and strengthening compliance mechanisms, as well as other approaches to promote effective implementation. Countries are developing new and innovative approaches to implementation. The Manual captures many of these experiences, within the broader framework of the UNEP Guidelines.

There is still much work to be done in building capacity and in developing the specific modalities for implementing MEAs more efficiently and creating a culture of enforcement of MEAs by the Parties. Nevertheless, there are grounds for optimism. As UNEP's regional workshops have highlighted, developing countries around the world have been creatively meeting the challenges with innovative approaches. These innovations need to be cultivated, nurtured and supported, and the lessons of these experiences be examined for their potential relevance in other countries and contexts. The work has just begun through the development and implementation of the UNEP Guidelines and the Manual, more need to be done and this calls upon the support and cooperation of the entire international community, including the INECE network, a longtime partner of UNEP.

## **5 APPENDIX**

### **5.1 A Survey of Other Guidelines and Initiatives for Implementing MEAs**

As noted at the outset of this chapter, many institutions have sought to improve the implementation of MEAs. Initiatives may be general or MEA-specific, applicable globally or reflect a particular regional context, be information-based or more focused on training and technical assistance. It is beyond the scope of this chapter to completely catalogue the full range of guidance and capacity building initiatives that have taken place and are underway to improve the implementation of MEAs. This appendix provides a quick survey of some of these initiatives. More information is available on the respective institutional web sites and in the UNEP Manual on Compliance with and Enforcement of MEAs.

### **5.2 Regional Guidelines on Implementing MEAs**

There are a number of regional guidelines relating to compliance and enforcement, and they often have a close relationship to the 2002 UNEP Guidelines. Some guidelines were adopted prior to 2002 and influenced the development of the UNEP Guidelines, while others drew from the UNEP Guidelines. These guidelines include:

- 1999 Caribbean Guidelines for MEA Implementation [<http://www.pnuma.org/foroalc/esp/bbexb07i-MEAsImplementationintheCaribbean.pdf>]
- 2002 "Guiding Principles for Reform of Environmental Enforcement Authorities in Transition Economies of Eastern Europe, Caucasus and Central Asia (EECCA)" developed by EECCA Member States and the Organization for Economic Co-operation and Development (OECD) [<http://www.oecd.org/dataoecd/36/51/26756552.pdf>]
- 2003 Guidelines for Strengthening Compliance with and Implementation of Multilateral Environmental Agreements (MEAs) in the ECE (UN Economic Commission for Europe) Region [<http://www.unece.org/env/documents/2003/ece/cep/ece.cep.107.e.pdf>]
- The Association of Southeast Asian Nations (ASEAN) has been developing mechanisms to promote compliance and enforcement of MEAs in the region.

- The North American Commission for Environmental Cooperation (NACEC) also has promoted compliance and enforcement through its North American Working Group on Environmental Enforcement and Compliance Cooperation. In 2000, it produced Guidance Document on “Improving Environmental Performance and Compliance: 10 Elements of Effective Environmental Management Systems” [<http://www.epa.gov/compliance/resources/policies/incentives/ems/cecguidedoc.pdf>].

### 5.3 MEA-Specific Guidance

MEA Secretariats and other institutions have developed a range of guidelines, checklists, model laws, handbooks, and other guidance to assist countries in implementing specific MEAs. Some of these guidance instruments developed by MEA Secretariats include (the following is illustrative only):

- *Basel Convention*: Model National Legislation, Manual for the Implementation of the Basel Convention, Basel Convention Technical Guidelines [<http://www.basel.int/meetings/sbc/workdoc/techdocs.html>]
- *CITES*: CITES Handbook, Guidelines for Legislation to Implement CITES, Identification Manuals (for Flora and for Fauna), Checklist of CITES Species [<http://www.cites.org>]
- *Convention on Biological Diversity*: Handbook of the Convention on Biological Diversity, Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising out of the Utilization [<http://www.biodiv.org>]
- *Ozone Agreements (Vienna Convention and Montreal Protocol)*: Handbook for the International Treaties for the Protection of the Ozone Layer (6<sup>th</sup> ed. 2003), Planning, Designing and Implementing Policies to Control Ozone Depleting Substances under the Montreal Protocol: A Handbook of Policy Setting at the National Level, Regulations to Control Ozone Depleting Substances: A Guide Book, Training Manual for Customs Officers [<http://www.uneptie.org/ozonaction/library/>]
- *Rotterdam Convention on the Prior Informed Consent (PIC) Procedure*: Decision Guidance Documents [<http://www.pic.int/en/Table7.htm>]
- *Stockholm Convention on Persistent Organic Pollutants (POPs)*: Ridding the World of POPs: A Guide to the Stockholm Convention on Persistent Organic Pollutants, Interim Guidance for Developing a National Implementation Plan for the Stockholm Convention Various Guidelines relating to identification and management of chemicals covered by the Stockholm Convention [<http://www.pops.int/documents/>]
- *UN Framework Convention on Climate Change (UNFCCC)*: Understanding Climate Change: A Beginner’s Guide to the UN Framework Convention, UNFCCC Guidelines on Reporting and Review [<http://unfccc.int/>]
- *UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)*: The Aarhus Convention Implementation Guide, Handbook of Good Practices in Public Participation at the Local Level, Handbook on Access to Justice under the Aarhus Convention [<http://www.unece.org/env/pp>]
- *Espoo Convention (on EIA in a transboundary context) and its Protocol on Strategic Environmental Assessment (SEA)*: Guidance on the Practical Application of the Espoo Convention, Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context, Guidance on Subregional Cooperation, Guidelines for Incorporating Biodiversity-Related Issues into Environmental Impact Assessment Legislation and/or Processes and in Strategic Environmental Assessment (in conjunction with the CBD) [<http://www.unece.org/env/eia/>]

#### 5.4 Efforts by International Financial Institutions to Promote MEA Implementation

Most international financial institutions (IFIs) have recognized that countries often require technical, economic, and personnel assistance in promoting compliance with and enforcement of MEAs. Accordingly, IFIs have developed and adopted a variety of techniques to promote MEA implementation. In many instances, IFIs consider the MEAs to which a borrowing nation is a party as part of the corpus of relevant environmental law with which a project must comply. Some IFIs do more by providing assistance to countries to enable them to more effectively implement MEAs. Some of the guidance includes:

- *Inter-American Development Bank*: Safeguarding Implementing Guidelines of the Draft Environment and Safeguards Compliance Policy (especially pp. 5-6) (DRAFT, 24 Jan. 2005) [<http://www.iadb.org/sds/doc/GuidelinesforConsutation1-24-05.pdf>]
- *African Development Bank*: African Development Bank Group's Policy on the Environment (secs. 2.6 and 5.3) (Feb 2004) [<http://www.afdb.org/psdu/content/download/574/3950/file/Environment%20Policy.pdf>]
- *Asian Development Bank*: Operational Content of the Asian Development Bank Policy [<http://www.adb.org/Documents/Policies/Environment/env020200.asp>]
- *World Bank*: Mainstreaming Biodiversity in Development (1995) [[http://Inweb18.worldbank.org/ESSD/envext.nsf/48ByDocNameBiodiversityinEnvironmentalAssessmentattheWorldBank/\\$FILE/1.2BIODIVERSITYINEAATTHE WORLD BANK.pdf](http://Inweb18.worldbank.org/ESSD/envext.nsf/48ByDocNameBiodiversityinEnvironmentalAssessmentattheWorldBank/$FILE/1.2BIODIVERSITYINEAATTHE%20WORLD%20BANK.pdf)]; *Pollution Prevention and Abatement Handbook* (especially starting p. 170 et seq.) [[http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/1999/06/03/000094946\\_99040905052283/Rendered/PDF/multi0page.pdf](http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/1999/06/03/000094946_99040905052283/Rendered/PDF/multi0page.pdf)]

#### 5.5 Other Initiatives

MEA Secretariats, international organizations, NGOs, and other institutions have adopted a variety of other initiatives to promote MEA implementation. This includes innumerable workshops to build capacity. To coordinate these capacity building efforts, there is a trend toward developing broader strategies for capacity building to implement MEAs, such as UNDP's "Capacity 21" and UNEP's Bali Strategic Plan for Technology Support and Capacity-building.

Many MEAs, as well as institutions such as the Global Environment Facility (GEF), have encouraged the use of national implementation plans. These processes generally entail stocktaking and priority-setting exercises, with the aims of determining what needs to be done and how it can be done (by whom and when). Some examples include:

- National Implementation Plan (NIP) under the Stockholm Convention on POPs.
- National Action Plan (NAP) under the UN Convention to Combat Desertification,
- National Adaptation Programme of Action (NAPA) under the UNFCCC,
- National Biodiversity Strategy and Action Plan (NBSAP) under the CBD, and
- Refrigerant Management Plan (RMP) under the Montreal Protocol.

Established in 1991, the GEF provides grants for projects in developing countries and countries with economies in transition that benefit the global environment and promote sustainable livelihoods in local communities. These projects generally implement at least one MEA, with the six focal areas for GEF funding being: biodiversity, climate change, international waters, land degradation, the ozone layer, and persistent organic pollutants. The GEF is a partnership among UNEP, the UNDP (United Nations Development Programme), and the World Bank Group.

## 6 REFERENCES:

1 In addition to UNEP, many other institutions have also developed guidance and built

capacity to improve implementation of MEAs. While the focus of this chapter is on the UNEP initiatives, some of these other endeavours are highlighted in the appendix at the end of this chapter.

2 UNEP GC Decision 21/23 (2001). This Programme is often referred to as “Montevideo III.”

3 UNEP GC Special Session (SS) Decision VII/4 (2002). The Guidelines are available in the six UN languages at [http://www.unep.org/DEPI/programmes/law\\_implementation.html](http://www.unep.org/DEPI/programmes/law_implementation.html).

4 Guideline 36

5 Guideline 39.

6 Guideline 41(h) (this does not include the chapeau of Guideline 41).7 Decision

7 Decision VII/4(2002) of the UNEP GCSS.