

Agenda item 2

## Vision 2012: Options and Opportunities for the AGEE

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8th meeting  
of the Advisory Group on  
Environmental Emergencies

6 - 8 May 2009  
Brussels, Belgium

## The Rosersberg Initiative (2007-2012)

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- 7th meeting of Advisory Group in Rosersberg, Sweden in June 2007
- Study on how to strengthen the International System for Environmental Emergency Response
- Three thematic areas, - including governance systems (“...elements of a system exist...”)

## Baseline Review

- Analysis of existing:
  - Instruments
  - Institutions
  - Practice
- To improve environmental emergency response system
- Rosersberg Initiative Working Group – December 2007, Tunis

## The *Bruch Report* (1)

- Review of:
  - 20 frameworks;
  - 15 watercourse agreements;
- Focus on:
  - Notification;
  - Alert;
  - Request;
  - Offer;
  - Provision;
  - Lessons learned.



## The *Bruch Report* (2)

- "...Organic evolution of a patchwork of international instruments, guidance and institutions ... with uneven implementation"
- "no comprehensive system for notification, alert, request and provision..."



## The *Bruch Report* (3)

- What constitutes an environmental emergency?
- Lack of awareness regarding existence of instruments;
- Strong framework - strong instrument - strong organization.



## The *Bruch Report* (4)

### Recommendations:

- Operational measures;
- Capacity building / Awareness raising;
- Legal and policy measures.



## Vision 2012

*“The year 2012 provides a once-in-a-decade opportunity to focus international attention on improving international frameworks for responding to environmental emergencies”*

- Rosersberg Initiative (2007- 2012);
- Global summit;
- Kyoto;
- Millenium Development Goals.

## Why strengthen the frameworks?

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- A strengthened framework could address fragmentation and improve coordination.
- Improving the governance frameworks could standardize and integrate notification and assistance procedures, making the processes more efficient and effective.

## What opportunities exist to focus international attention?

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- The existing frameworks of OCHA and UNEP to address environmental emergencies arise from their broad mandates on humanitarian and environmental issues, respectively.
- Opportunities to strengthen international frameworks include:
  - UNEP Governing Council Decision;
  - UN General Assembly Resolution;
  - Ministerial Declaration.

## The **Scope** could:

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- Acknowledge experience, success, and impact to date of efforts by UNEP and OCHA to respond to environmental emergencies, including progress of *Rosersberg Initiative*;
- Note with concern the projections for a growing number of environmental emergencies and growing severity;
- Endorse the experience and approach taken by UNEP and OCHA in responding to environmental emergencies;
- Explicitly request that UNEP and OCHA continue to cooperate and collaborate in providing assistance as requested in responding to environmental emergencies.

## How to capitalize on the opportunity

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- UNEP Governing Council Decision
- UN General Assembly Resolution
- Ministerial Declaration

## UNEP Governing Council Decision

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## UNEP Governing Council Decision: Procedures

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- Proposals are sent to the UNEP Secretariat;
- They are then sent the Committee of Permanent Representatives (CPR) for consideration;
- If adopted by the CPR, proposals are presented to the Governing Council;
- Proposals approved by the CPR are (usually) adopted by the Governing Council, usually by consensus.

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## UNEP Governing Council Decision: Considerations

- Benefits:
  - More technical, less political;
  - Biggest constraint is time allotted for review;
  - Timeliness;
  - UNEP institutional focus on “Conflicts and Disasters”.
- Impediments:
  - Insufficient consultation;
  - Premature consideration of an issue.
- Limitations:
  - UNEP has 58 Members, so membership is not universal and decisions are not binding on other UN agencies.

## UNEP Governing Council Decision Example: Montevideo Program

- The Montevideo process established medium-term institutional priorities and actions for UNEP regarding environmental law
  - Through four successive comprehensive, medium-term, high-level strategy documents developed through meetings of experts
  - That was then approved by the UNEP Governing Council Montevideo I (approved 1981), Montevideo II (1993), Montevideo III (2001), and Montevideo IV (2009)
- **AGEE participants could similarly use a UNEP GC decision to lay the groundwork for a meeting of senior experts to iteratively develop medium-term strategies for responding to environmental emergencies**

## UNEP Governing Council Decision: Next Steps for the AGEE

- **Decide whether to pursue a UNEP Governing Council Decision** on response to environmental emergencies.
- **Decide who should draft the Decision.**  
Which AGEE participants should take the lead? Would the AGEE want UNEP or the JEU to assist?
- **Does the AGEE want to provide any specific guidance regarding the scope of the proposed draft Decision?** Or would it prefer to delegate responsibility for drafting to a Steering Committee, Core Group, or ad hoc working group?

## UN General Assembly Resolution



## UN General Assembly Resolution: Procedures

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- Build political support;
- Submit a proposal to be included in the supplementary agenda;
- UNGA votes on the final agenda;
- Proposals which make it onto the final agenda are sent to a committee;
- Voting takes place in plenary meeting
- Must have majority of members voting to pass.

## UN General Assembly Resolution: Process (Alt.)

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- Alternatively, a proposal can be tabled by a committee;
- This approach is feasible but difficult given political constraints;
  - Particularly for consultation.

## UN General Assembly Resolution: Considerations

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- Strengths:
  - Possess broad political support and therefore provide a strong framework;
  - Binds all UN programs.
- Potential draw-backs:
  - Significant and sustained effort is often required;
  - Institutional competition could lead to narrow directive.
- Impediments:
  - Must have strong political support;
  - Mandate does not fit clearly into the purview of one committee.

## UN General Assembly Resolution: Example: Res. 57/150

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### The International Search and Rescue Advisory Group (INSARAG)

- Established in 1991
- In 2002, it developed a set of Guidelines which were endorsed in a dedicated **General Assembly Resolution 57/150**

Resolution 57/150 offered an opportunity for search and rescue (SAR) to raise its profile and receive a more specific mandate from the UN General Assembly

## UN General Assembly Resolution: Next Steps for the AGEE

- **Decide whether to pursue a UNGA Resolution**
- If the AGEE decides to pursue a UNGA Resolution, **who should draft the Resolution?**
- Does the AGEE want to provide **any specific guidance regarding the scope of the proposed draft Resolution?** Or would it prefer to delegate responsibility to a Steering Committee, or ad hoc working group?

## Ministerial Declaration



## Ministerial Declaration: Procedures

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- Types of Ministerial Declarations:
  - Declarations from global environmental summits;
  - Ministerial Declarations  
Especially from the Global Ministerial Environment Forum (GMEF);
  - [Declarations from specific processes, such as climate change].
- No specific timeline or process.

## Ministerial Declaration: Considerations in strengthening the frameworks

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- Strengths:
  - Political and moral legitimacy;
  - Ministerial Declarations are a reflection of international consensus;
  - Can provide a basis for subsequent technical and operational decisions.
- Impediments:
  - Does not carry the full operational power of a mandate or governance framework;
  - Must have a high level of political support to have much longevity or support;
  - Provisions tend to be brief and few.

## Ministerial Declaration

### Example: Rio Principle 10

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- Included in the 1992 Rio Declaration on Environment and Development
- Justified the development of regional conventions and initiatives
  - 1998 Aarhus Convention and 1999 London Protocol on Water and Health
  - 2001 Inter-American Strategy for the Promotion of Public Participation in Sustainable Development Decision Making
  - Other initiatives in Asia and Europe
  - Operational measures by various international institutions

## Ministerial Declaration: Next Steps for the AGEE

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- There are steps that the AGEE could take to strengthen the basis for including environmental emergencies in the 2012 Declaration:
  - AGEE participants could **work to include environmental emergency response in other Declarations and instruments**
  - The AGEE could **collect existing declarations** that reference environmental emergencies
  - The AGEE could **identify the key issues** (and perhaps develop draft language) for provisions that could be included in a Ministerial Declaration
  - The AGEE could **request assistance from the JEU** in undertaking the above measures

## Vision 2012

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*“The year 2012 provides a once-in-a-decade opportunity to focus international attention on improving international frameworks for responding to environmental emergencies”*

## Special Thanks

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- Photographs cited in this presentation were found at the following web addresses:
  - <http://graphics8.nytimes.com/images/2006/09/18/world/18un.1.jpg>
  - <http://www.deseretnews.com/photos/midres/819440.jpg>
  - <http://www.un.org/events/wssd/photos/0001.jpg>
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Facilitating and coordinating  
the international response to  
environmental emergencies

THANK YOU!

