

## ***Contributing to #Building Back Better***

### **1. Introduction**

As countries around the world are working towards building a better future with wide environmental, economic and social collapses, including due to the current COVID19 pandemic, time has come for exploring options for designing a new development plan to build our future better.

Though several approaches are available and are being used to secure our collective future that provides for intergenerational opportunities to live a healthy and inclusive life, there is a need to put the principles of sustainable development at the center of such approaches and ensure the future of development is embedded in better governance systems, at all levels, that are responsible and responsive.

For example, the European Union in 2019 adopted the European Green Deal (EGD)<sup>1</sup> to reset the commitment to tackling climate and environmental-related challenges and aims to transform the region into a fair and prosperous society, with a modern, resource-efficient and competitive economy and to protect, conserve and enhance the natural capital, and protect the health and well-being of citizens from environment-related risks and impacts. At the same time, it calls for this transition be just and inclusive. The Deal comes with an action plan, the Just Transition Mechanism and the Recovery and Resilience Facility to help countries by mobilizing more than €700 billion between 2021- 2027<sup>2,3</sup>. The Deal focuses on boosting the efficient use of resources by moving to a clean, circular economy and restores biodiversity and cut pollution, supported by an ambition to become climate neutral by 2050<sup>4</sup>.

This brief provides some entry points, through the Africa, Caribbean and the Pacific (ACP) Multilateral Environmental Agreements (MEAs) programme, third phase (ACP MEAs 3), to embark on exploring options for providing inputs to countries in the regions that are embarking on designing such new development and/or recovery plans.

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1596443911913&uri=CELEX:52019DC0640#document2>

<sup>2</sup> [https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/actions-being-taken-eu/just-transition-mechanism\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal/actions-being-taken-eu/just-transition-mechanism_en)

<sup>3</sup> [https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility\\_en](https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_en)

<sup>4</sup> [https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal\\_en](https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en)

## 2. Environmental Governance

Governing our planet's rich and diverse natural resources is an increasingly complex challenge. Current and emerging challenges of sustainable development, including the current COVID19 pandemic indicate our globalized world of interconnected nations, economies and people. Managing environmental threats, particularly those that cross political borders such as climate change, air pollution, chemicals such as mercury and biodiversity loss will require new global, regional, national and local responses involving a wide range of stakeholders<sup>5</sup>.

Environmental governance is critical for finding solutions to these challenges. Environmental Governance comprises the rules, practices, policies and institutions that shape how humans interact with the environment. Good environmental governance takes into account the role of all actors that impact the environment. From governments to NGOs, the private sector and civil society, cooperation is critical to achieving effective environmental governance that can help us move towards a more sustainable future.

The UNEP Medium Term Strategy (2022-2025) calls for strengthening the legal architecture for strengthening environmental governance<sup>6</sup>. Ensuring compliance to environmental laws and regulations has been identified as critical to achieving better environmental governance. Support to countries such as those in Africa, Caribbean and the Pacific are critical to ensuring building peace and resilience in dealing with environmental challenges.

As countries re-align their economies and priorities for development, the new development plans need to look at the following three areas for enhancing better environmental governance.

- a. Review and adoption of legal and related measures to deal with issues of nature conservation, monitoring and managing pollution and safe handling of chemicals and waste;
- b. Develop guidelines and toolkits necessary for stakeholder engagement in implementing the legal and regulatory measures, and
- c. Comply with provisions of rule of law in supporting partnerships, both vertically and horizontally that supports future environmental management that is responsive and inclusive.

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<sup>5</sup>[https://wedocs.unep.org/bitstream/handle/20.500.11822/7935/Environmental\\_Governance.pdf?sequence=5&isAllowed=y](https://wedocs.unep.org/bitstream/handle/20.500.11822/7935/Environmental_Governance.pdf?sequence=5&isAllowed=y)

<sup>6</sup><https://wedocs.unep.org/bitstream/handle/20.500.11822/33792/Agenda%20Item%205%20MTS%20151%20CPR%20v3%20%28without%20notes%29.pdf?sequence=1&isAllowed=y>

### 3. Role of Multilateral Environmental Agreements

Multilateral environmental agreements (MEAs) form an overarching international and/or regional legal basis for our efforts to deal with environmental issues that are transboundary in nature. These conventions and agreements complement national legislation and bilateral or regional agreements.

The role of multilateral environmental agreements in achieving sustainable development has long been recognized<sup>7</sup>. Paragraph 89 of the outcome document of the United Nations Conference on Sustainable Development, entitled “The future we want”, Member States recognized the significant contributions of the multilateral environmental agreements to sustainable development<sup>8</sup>.

The MEAs offer access to worldwide knowledge, tools and financial resources, and they can give conservation agencies a stronger mandate at local and national levels. However, the threats they address and the solutions they outline are to be evaluated against the priorities of social and economic issues. This entails linkages among different problems and sectors at various scales. Regional and ecosystem-level approaches are most appropriate for sorting out linkages and priorities. Extensive capacity building is needed at these levels to foster the requisite skills for integrated approaches. In addition, new mechanisms may be required at these levels to coordinate diverse specialized regimes<sup>9</sup>.

Countries can focus on developing elements of a new development plan considering the following.

- a. Synergistic implementation of the biodiversity and chemical cluster MEAs, among themselves and across;
- b. Enhanced commitments to realizing the objectives of the MEAs that are measurable and impactful, and
- c. Strengthening institutional and individual capacities of various stakeholder groups including youth and women to deal with current and emerging issues on linking environmental management and sustainable development.

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<sup>7</sup>UNEP (2016) Enhancing cooperation among the seven biodiversity related agreements and conventions at the national level using national biodiversity strategies and action plans. United Nations Environment Programme (UNEP), Nairobi, Kenya

<sup>8</sup><https://sustainabledevelopment.un.org/futurewewant.html>

<sup>9</sup> <https://www.cambridge.org/core/journals/oryx/article/global-governance-for-the-environment-and-the-role-of-multilateral-environmental-agreements-in-conservation/878E480273BE8BA5A248898021F7D2E8>

## 4. Ocean Governance

One of the key and emerging issues for the Africa, Caribbean and Pacific region countries is to ensure appropriate measures to deal with ocean governance. Ocean governance includes the processes, agreements, rules and institutions developed to organize, regulate and manage the way in which humans use the ocean and its resources. Considering that oceans includes High Seas and Biodiversity Beyond National Jurisdiction (BBNJ), there is a need for differential approach to deal with ocean governance by countries where a combination of national, regional and global processes and regulations are needed to sustainably manage the ocean and coastal resources. These resources range from coastal fisheries to the prospecting of deep seabed genetic resources.

The process of ocean governance should be integrated horizontally because it requires the participation of governmental institutions, the private sector, NGOs, local and civil society organizations, academics, scientists, etc., as well as vertically across all of levels of governance within an integrated system with reciprocal collaboration and coordination.

According to the United Nations<sup>10</sup>, while there is general agreement in international policy that an ecosystem approach is needed to improve ocean governance, its application in practice is still limited. This is due in large part to the considerable practical difficulties of implementation, including the availability of suitable information and lack of analytical and scientific tools to support the process. Many different ecosystem approaches exist and include those used by the Convention on Biological Diversity and the Food and Agriculture Organization of the United Nations, which are highly compatible. In practice, some of the most widely implemented ecosystem approaches include integrated coastal zone management, sometimes referred to as integrated coastal area management, and integrated water resources management, sometimes expressed as river basin management. In addition, many indigenous management systems embody a holistic view of the connections between all living things and their environment and are thus also an expression of an ecosystem approach.

Sustainable Development Goal 14, with its comprehensive set of targets, provides an opportunity to bring ocean governance to the forefront of the global dialogue on sustainable development.

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<sup>10</sup> <https://www.un.org/en/chronicle/article/global-marine-governance-and-oceans-management-achievement-sdg-14>

It may be prudent for countries to focus on the following, when strengthening existing plans and/or developing new development plans.

- a. Developing national, sub-regional and regional action plans on ocean governance and management that aligns with emerging local and global priorities, including discussions through the biodiversity beyond national jurisdiction (BBNJ) framework
- b. Develop options for building robust blue economy options-based actions that are in support of local and national priorities and development needs, carefully considering issues of ocean mining, managing biodiversity, and
- c. Address ways to mainstream issues across sectors such as fisheries and ensure management is predictable and progressive

## **5. Supporting Development Plans through ACP MEAs 3 Programme**

In realizing the above ideas, the ACP MEAs 3 programme plans to work with three regional hubs, viz. African Union Commission (AUC), the Caribbean Community (CARICOM) and the Secretariat of the Pacific Regional Environment Programme (SPREP), four regional seas conventions, namely the Abidjan Convention, Nairobi Convention, the Cartagena Convention and the Noumea Convention and a number of MEAs, including those focusing on biodiversity issues such as the Convention on Biological Diversity, Convention on Migratory Species, the Convention on International Trade in Endangered Species and those on chemicals issues such as the Basel, Rotterdam and Stockholm Conventions, the Minamata Convention, the Waigani Convention and those related to pollution such as the Bamako Convention to focus on the following:

- (i) Supporting design of transformative policies and action plans on MEAs
- (ii) and ocean governance;
- (iii) Preserving and sustaining ecosystems and biodiversity;
- (iv) Minimizing negative impacts of pollution, and
- (v) Fostering innovation in mainstreaming issues and approaches related to environment and the SDGs.

The following table provides some entry points, from the ongoing ACP MEAs 3 programme, for designing such new development plan.

<b>Priority issue under a New Development Plan</b>	<b>ACP MEAs 3 Activity(ies)</b>	<b>Envisaged Impact</b>
Developing strategies and plans that will need to reflect an increased level of ambition to reduce significantly the use and risk of chemical pesticides, as well as the use of fertilisers and antibiotics.	Promote legal frameworks to support shared responsibility and cooperative efforts among the participating countries in the international trade of hazardous waste, chemicals, including mercury and pesticides to protect human health from their potential harm; Reduction of the influx of waste (plastics and other forms of human and industrial liquid and solid waste) entering the marine environment of the four regions.	This result will promote the implementation of previously agreed upon legal and institutional frameworks related to chemicals, including mercury and wastes.
Supporting actions for designating, restoring and managing ecosystems that provide essential services such as food, fresh water and clean air, and shelter.	Loss of biodiversity halted; greener growth and more circular economies; human health and the environment more protected from hazardous substances, including mercury and more transparency and efficient management of natural resources; Providing strategic inputs and advice to the new Post 2020 global biodiversity framework and enhancing synergies between conservation, chemicals and waste management as well as pollution.	Both terrestrial and marine ecosystems are better desingated, restored and managed, using the MEAs and related instruments as guide posts.
Adopting a global framework to halt biodiversity loss (the CBD	Enhanced capacity, processes and infrastructure to enforce and comply with selected Multilateral	Countries are providing inputs to finalizing the new Global Biodiversity

COP 15 new global biodiversity framework).	Environmental Agreements related to biodiversity; Improved national frameworks, legislations and mechanisms for the effective implementation of MEAs related to biodiversity; Organizing communication and outreach programmes, including targeting politicians.	Framework and work on developing national plans for subsequent implementation with full participation of all relevant stakeholders.
Developing sustainable 'blue economy' models, strategies and action plans will have to play a central role in alleviating the multiple demands for resource use, securing local livelihoods and strengthening national economies.	Enhance the overall Governance Framework of regional seas conventions with focus on supporting blue economy approaches.	Enhanced planning and rolling out of national and/or regional blue economy strategies and provision of inputs to governing bodies of relevant conventions and processes, including those related to ABNJ/BBNJ.
Engage with the private sector to enhance sustainable business practices.	Effective communications, outreach and awareness-raising for increased stakeholder engagement, including political will among decision-makers; Organization of specific programmes targeting private sector related to key MEAs and convention processes.	Enhanced engagement of diverse stakeholder groups in setting targets and implementing the same.
Ensure support to new technologies, including on data management, sustainable solutions and disruptive innovations.	Promote the exchange of information, technologies through South-South cooperation, including among regional institutions.	Inter-regional collaboration enhanced.
Invest in education and skill development that	Provide targeted strategic communication and awareness	Participation and engagement

supports experiential learning and life-long learning, using modern and traditional approaches and knowledge systems.	raising activities to engage with diverse stakeholder groups.	enhanced for effective compliance to and implementation of MEAs, conventions and related processes.
Strengthen pro-active re-skilling and upskilling to reap the benefits of the ecological transition.	Support South-South exchanges and learning.	Skill development for ecological transition is enhanced by better inter-regional cooperation on key issues and actions.
Invite stakeholders to use the available platforms to simplify legal and regulatory frameworks that deliver and respond to emerging needs of sustainable development.	Focus on legal and institutional reviews and support exchange of experiences on key topics related to enhanced management of biodiversity, chemicals, wastes and pollution.	Enhanced engagement of all relevant stakeholders.

## 6. Conclusions

The current project, in support of countries from Africa, the Caribbean and the Pacific, is in its third phase with focus on increasing enforcement of and compliance with key MEAs and support better ocean governance. The project, as elaborated in the table above, aims to further strengthen the influence, through its actions, to build an inclusive agenda that aims to re-look at environmental management and sustainable development that is responsive and specific.

Actions in support of implementing the project will focus on enhancing the rationale of designing a new development plans besides supporting the actions to further strengthen country collaborations.



### About ACP MEAs 3 Programme

The ACP MEAs programme is a partnership between the United Nations Environment Programme (UNEP), the European Union, the Organization of Africa, Caribbean and the Pacific States (OACPS), and the Food and Agriculture Organization of the United Nations (FAO). It aims to build the capacity of 79 countries in Africa, the Caribbean, and the Pacific to fulfill their obligations to multilateral environmental agreements. In the last decade, the programme has helped states to fully engage in the implementation of environmental accords. Currently, the third phase of the Programme is under implementation (2020-2024).

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