

VII. THE IMPLEMENTATION OF MULTILATERAL ENVIRONMENT AGREEMENTS

In the last several years, the international community has taken a number of steps towards establishing standards or norms for environmental protection in the form of treaties, conventions and agreements. These agreements in turn have played a significant role in developing countries, either by influencing their domestic policies or by inducing them to follow higher environmental standards.

Agreements can be bilateral, between two countries, or multilateral, among more than two countries. Multilateral agreements can be further divided into agreements between many countries belonging to different parts of the world, and regional or subregional agreements. The present discussion is with reference to two types of multilateral agreements: (a) a set of agreements that relates to preservation of the environment, such as preventing global warming, rise in sea level, ozone depletion etc.; even though it may seem that these agreements are exclusively with reference to the environment, they have either a direct or indirect impact on the economic performance of a country; and (b) agreements that link trade and the environment; these include measures to discourage the export of certain products or materials which are produced using unsound environmental practices, or discourage the imports of hazardous materials etc. Being related to trade, these agreements obviously have repercussions on the economy of a country.

The perception of environmental agreements in developing countries is rather mixed. Some countries view these agreements as providing a vehicle for them to adhere to high environmental standards that can lay a strong foundation for sustainable development, and so relieving domestic pressure to the contrary. The enthusiastic response by industry to qualifying for ISO standards is an example of this type of reaction. Other agreements are welcomed as they help protect the fragile environment in some developing countries, such as those in the Pacific which are under threat from the rise in sea level, from problems which are beyond their control and require solutions involving many countries. However, some developing countries have perceived international regulations as new non-tariff barriers to trade in certain products, as they fear that adherence to these agreements is likely to affect their competitiveness negatively, given their relative difficulty in accessing information, inputs, technology and finance. For example, many developing countries are apprehensive that either they lack access to advanced technologies to meet the required standards, or if they try to acquire or utilize these technologies, the cost of production will go up to such an extent that their products will lose competitiveness in international markets. Thus, many countries view these agreements with considerable scepticism.

In the light of this concern, there is a proposal that international environmental standards such as requirements for eco-labelling systems should be designed in such a way as to incorporate different levels of technological and socio-economic development and take into consideration the uniqueness of the environmental conditions in each country as well as global environment responsibilities. While this is a laudable suggestion, it may be extremely difficult

to operationalize such a system, particularly under conditions of diverse environmental and development priorities (United Nations Conference on Trade and Development, 1997).

The following describes several cases in which countries face challenges which can be perceived either as an opportunity or a threat. In the case of Myanmar, its admittance as a member of ASEAN means it will have to adapt to a programme adopted by ASEAN Senior Officials on the Environment. This entails: (a) supporting policies that integrate environment and economy; (b) promoting government and private sector interactions; (c) strengthening institutional and legal capabilities to implement international agreements on the environment; and (d) strengthening the coordination mechanism for the implementation and management of regional environmental programmes. This development can be seen either as an opportunity for the country to work towards integrated policy-making to achieve sustainable development, or a threat, as the country will have to undertake fundamental changes in its institutional structures and operations.

The other examples relate to loss of competitiveness in international markets. For example, Pakistan's cotton textile exports manufacturers are losing such competitiveness as its trading partners are becoming increasingly aware of their environmentally unsound process of production. The sugar industry in Fiji faces lower market prices owing to the fact that the European Union is imposing a green ban on sugar from that country as the industry follows an environmentally unsustainable process of production. Some Pacific island products, such as timber (Fiji, Papua New Guinea, Solomon Islands and Vanuatu) and squash (Tonga) are facing a decline in exports owing to environment-related restrictions. Australia and New Zealand have already banned hardwoods from Papua New Guinea and Solomon Islands because of their perceived exploitation of landowners, poor logging practices and the unsustainable nature of the industry.

All the above cases can be taken as threats to these countries in that they are experiencing a decline in export earnings. However, they can also be turned into potential opportunities to shift to environmentally sound methods of production. For example, Fiji can shift to organic sugar production to regain an advantageous position in the market, as organic sugar receives considerable price premiums over conventional sugar. It is claimed that this could be done without incurring substantial costs.

Another example of dealing with national problems through inter-national agreements is in the case of fishing activity in the Pacific islands. The Pacific Communities Oceanic Fisheries Programme was established by 16 member countries. The Programme, along with the Forum Fisheries Agency, aims to assess and monitor the fishing activities of each country. This programme has certain economic and political implications for all countries.

In spite of the above-cited doubts, in general multilateral agreements have played a useful role in promoting the usage of environmentally sound technologies and increasing consciousness about sustainable development. Given the growing importance of these agreements, it is useful to examine how these agreements are implemented in various countries. This chapter first enumerates a

few international agreements of most relevance to countries of the region, and considers which ministries from countries in the region have attended the multilateral negotiations, details the mechanisms that are used to enforce agreements in a country and the institutional structures responsible for their implementation, outlines some critical issues in implementing these agreements, and finally gives some suggestions.

A. Selected multilateral conventions and agreements

Although there are numerous agreements related to the environment at the international level, a few of particular relevance to countries of the region are mentioned here. As pointed out earlier, some of these are meant exclusively for protection of the environment, while others link environment with trade. However, both types of agreements have an influence on the economies of countries.

Vienna Convention for the Protection of the Ozone Layer, 1985. The Convention is aimed at introducing measures to prevent depletion of the ozone layer. Such depletion, which is a serious threat to human life, has actually resulted from emission of certain toxic gases in the air, either by industrial units or by consumers using certain harmful products.

Montreal Protocol on Substances that Deplete the Ozone Layer, 1987. The Protocol is concerned with phasing out ozone-depleting substances by 2010. This would mean a change in industrial production and consumption patterns throughout an economy.

Convention on Biological Diversity, 1992. The Convention is aimed at the conservation of biodiversity. While biodiversity types of agreements may seem to be related only to the environment, they have overall economy-wide influence, such as decisions with respect to what can be produced, harvested, extracted, exported etc., many of which are economic in nature.

United Nations Framework Convention on Climate Change, 1992. The Convention is aimed at stabilizing changes in the climate to prevent global warming and a rise in sea level. Change in climate influences the ecology, which in turn also influences what the country cultivates and exports, and hence its balance-of-payments position. The rise in sea level has the risk of either flooding, that can result in substantial loss of national income, or in some cases the total disappearance of islands.

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989. The Convention is aimed at controlling the transboundary movements of hazardous wastes and their disposal. On occasion, countries have allowed other countries or industries to dump their hazardous waste by charging them a significant amount of money. These short-term economic gains can have a serious adverse effect on the environment and quality of life of a country.

Rio Declaration on Environment and Development, 1992. The Rio Earth Summit laid the foundation for a new kind of global partnership to achieve sustainable development and lent impetus to the search for a policy framework that would seek to promote both economic efficiency and environment improvement. The areas of discussion included in the Rio Declaration were (a) promoting sustainable development through trade; (b) providing adequate financial resources to developing countries; and (c) encouraging macroeconomic policies supportive of both environment and development aspirations. The Declaration is non-binding in nature.

Agenda 21 of the United Nations Conference on Environment and Development. This includes a wide range of environmental issues related to forestry, desertification, ocean resources and linkages between trade and environment etc. It is an agreed text adopted by the General Assembly but is non-binding in nature.

World Trade Organization. The negotiations in this international organization concern trade issues. It has adopted some agreements which have a bearing on the environment. These agreements give either incentives for the production and trade of environmentally friendly products or disincentives for the opposite. For example, under one of the WTO agreements, 20 per cent of the cost of adaptation to environmental requirements can be subsidized.

Box VII.1. WTO: The Marrakesh Ministerial Decision on Trade and Environment

Trade Ministers meeting in Marrakesh agreed to establish a WTO Committee on Trade and Environment with a broad-based remit covering all areas of the multilateral trading system – goods, services and intellectual property. The Committee has been given both analytical and prescriptive functions: to identify the relationships between trade and environmental measures in order to promote sustainable development; and to make recommendations on whether any modifications to the provisions of the multilateral trading system are required.

Two important parameters have guided the Committee's work. One is that WTO competence for policy coordination in this area is limited to trade and those trade-related aspects of environment policies which may result in significant trade effects for its members. In other words, there is no intention that WTO should become an environmental agency, or that it should become involved in reviewing national environmental priorities, setting environmental standards or developing global policies on the environment; that will continue to be the task of national governments and of other intergovernmental organizations better suited to the task. The second parameter is that if problems of policy coordination to protect the environment and promote sustainable development are identified through the Committee's work, steps taken to resolve them must uphold and safeguard the principles of the multilateral trading system to which governments agreed in the Uruguay Round negotiations.

While it is true that WTO cannot become directly involved in the formulation of the environment policy of national governments, it can indirectly influence these policies by setting certain standards for production processes etc. for goods and commodities traded in international markets. It can also facilitate the adherence of

developing countries to these standards by providing them with certain monetary incentives.

Source: <http://www.wto.org/wto/environ/marrakes.htm>, 10 September 1999.

In addition to the above multilateral agreements, there are some regional or subregional agreements related to the environment that are relevant to countries of the region. These include the setting up of the South Asia Cooperative Environment Programme, the South Pacific Regional Environment Programme, and the programme of the ASEAN Senior Officials on the Environment. Among these, the last-mentioned is the one which has placed significant emphasis on the need for integrated economic and environment policy-making in its various declarations.

B. Participation in negotiations

In order to evaluate the impact of these agreements at the national level, it is important to first find out who represented a country's interests at the international meetings in which the agreements were drafted. It is found that, in many countries, the Ministry of Foreign Affairs have attended the meeting and signed the agreements. The advantage of this arrangement is that foreign ministry officials usually have the most experience in undertaking negotiations at the international level and are trained to bargain in the international arena and to defend the national position. However, sometimes the issues under discussion may be directly related to an area of technical competence of a particular functional ministry. If this ministry is neither represented at a meeting nor even consulted before it, this can create dichotomy between what the Ministry of Foreign Affairs agrees to and what is in the best interests of a country in that particular area. The following are a few examples from countries.

In Fiji, the Minister of Foreign Affairs usually signs international conventions or treaties on behalf of the country. The problem of dichotomy is often avoided as the Ministry of Foreign Affairs consults with the Ministry of Trade and Commerce, the Department of Environment or other relevant ministries, which would eventually be responsible for administering these agreements. In Thailand, the Department of International Organizations in the Ministry of Foreign Affairs coordinates among all the relevant ministries when it is establishing the position of the Government, or encounters problems during the negotiations. However, in the case of the Philippines, the dichotomy is very apparent. The Department of Foreign Affairs participates in committees in which multilateral agreements on the environment are negotiated. It conducts studies, and undertakes research to determine issues of relevance to the country with the help of its embassies, consulates, delegates and permanent missions abroad. However, it does not interact with domestic ministries whose functions are related to the area of discussion at the meetings. Naturally, this communication gap has been detrimental to the smooth implementation of agreements.

C. Mechanisms used for implementing agreements

When a country indicates its commitment to an international accord, this needs to be followed by a decision or an action in the form of establishing a mechanism for implementing the agreement in the country. The most common mechanisms used have either been enacting acts or laws in the country to implement what has been agreed at the international level, or incorporating these agreements in domestic policy in the form of creating national incentive or disincentive schemes. It is worth noting that sometimes countries have used a combination of both these mechanisms, while at other times, there has been no action at all and no implementation mechanisms were established. The two mechanisms used by countries are discussed below.

1. Enacting laws

A country can enact a domestic law that incorporates what has been agreed upon at the multilateral level. The advantage of this is that when the domestic law includes internationally agreed provisions, it becomes legally binding in nature.^{15/} This indicates a strong commitment on the part of a country to implement these provisions. However, as noted earlier, such laws are often not enforced in many developing countries for reasons such as an inadequate legal system, long waiting lists for hearing cases, low penalties attached etc. This implies that actual implementation of the laws may not take place.

The following are a few examples of enactment of local laws in response to international agreements. The Philippines passed an act known as the Toxic Substances and Hazardous and Nuclear Waste Act of 1990, which was inspired by the Montreal Protocol. The Act bans the importation, storage and transportation of toxic nuclear wastes into or through the Philippines. In response to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, an administrative order was issued by the Department of Environment and Natural Resources which restricts importing recyclable materials containing hazardous substances. In response to the United Nations Conference on Environment and Development, in 1992, the country promulgated Republic Act 7586 of 1992, which provides for the establishment of a national integrated protected areas system to conserve and use biodiversity in a sustainable manner. As a response to the United Nations Framework Convention on Climate Change, an executive order was issued establishing an inter-agency committee on climate change. In order to comply with provisions of the Conference held in Stockholm in 1972, Malaysia enacted the Environment Quality Act in 1974 and established the Department of Environment.

Many Pacific island countries have prepared comprehensive environmental legislation, largely in response to the call in the Rio Declaration for countries to enact environment legislation for the elimination of unsustainable patterns of production and consumption. The examples are Fiji's Sustainable Development Bill, Tonga's environment assessment planning bill and Vanuatu's comprehensive environmental and resource management legislation.

2. Incorporating provisions in domestic policy

The incorporation of provisions of agreements signed at the international level in national policy can include giving tax incentives, and export or import subsidies, imposing bans, introducing licensing requirements, setting standards etc., in the country to adhere to what is agreed upon at the international level. The advantage is that once these international provisions become part of domestic policy, they are immediately mainstreamed in national plans and priorities, which facilitates their implementation. In addition, it avoids problems associated with the implementation of laws, such as lengthy legal procedures to enforce these agreements. However, it should be cautioned that because a provision becomes national policy it does not necessarily mean that it is going to be implemented. There are many domestic policies which have poor implementation records.

The following examples show how different countries have incorporated provisions of international agreements in their domestic policy. The Republic of Korea has given domestic industries incentives to adopt ISO 14000 standards to meet the rapidly emerging international norms and standards. Moreover, the central and local governments, as well as government financial organizations, are encouraged to purchase products bearing the ISO labels. The Environment Labelling Association, an NGO, was established to authorize the use of environmental labelling and to manage the labelled products. However, these fast responses to external agreements are thought to be the consequence of not only elevated environment awareness but mainly the country's externally oriented economy.

In response to the Montreal Protocol, Philippines drafted the Philippines Country Programme detailing its plan for the phase-out of ozone depleting substances (partial phase-out in the commercial, industrial and consumers sectors by 1998 and total phase-out by 2010). It granted incentives such as tax exemptions to shift to non-ozone depleting substance technologies through the Board of Investment.

Fiji responded to the Vienna Convention and the Montreal Protocol by giving incentives to research and development activities, and developed a non-chemical quarantine treatment technology which has given its agricultural products a competitive advantage in the international markets.

After the Montreal Protocol, India conducted three workshops for small and medium-sized enterprises in 1996 to assist them in phasing out ozone depleting substances, gave full exemptions from all forms of duties on goods required to phase out these substances for all enterprises, banned their export to developed countries, imposed licensing for using the substances as inputs, and prepared comprehensive regulations on phase-out of the substances.

However, as mentioned earlier, the incorporation of agreements in domestic policy does not necessarily lead to effective implementation. The following examples illustrate that point.

Following the Rio Conference, Pacific island countries developed their own national programme called Capacity 21 to implement Agenda 21 of the Rio Conference. The national programmes aimed to promote the role of NGOs and landowners and to help them to come together with other stakeholders in developing a framework for the integration of environment with development. However, despite the initial enthusiasm, the programmes seem to have lost momentum in most of the countries. The Tonga case study reports that there has been little progress in pursuing the call for improved collection, analysis and presentation of environmental data and information. As a result, periodic analysis of environment conditions and trends is not undertaken. There is neither a programme of action to this effect nor have resources been allocated for this activity. The situation is the same for other Pacific island countries.

Nepal developed a national conservation strategy in 1988, and an environment policy and action plan in 1993 to incorporate international environment agreements in domestic policy. However, in practice, it appears that these obligations remain in oblivion, so much so that it is hard to obtain information on a specific convention from the government agency which is directly concerned with its implementation (ESCAP, 1999(a)).

Sri Lanka introduced policies to phase out the use of ozone depleting substances before the prescribed deadline of 2010 set by the Montreal Protocol. However, the resource crunch is the most important obstacle that the country faces in trying to implement this policy.

D. Structures used for the implementation of multilateral agreements

The mechanisms cannot be implemented in a vacuum; they require a proper institutional structure. The following structures were found to be used by countries to implement agreements.

1. Environment-related ministry or department responsible for implementation

Under this arrangement, one central environment ministry or department is responsible for the implementation of all environment-related agreements. It should be noted that this entity could create a board or committee under its direct supervision to carry out a specific function. Nevertheless, this entity is ultimately responsible for accomplishing the task. The positive aspect of this system is that since one entity is responsible for the implementation of all environment-related agreements, coordination becomes easier. Proper coordination in turn may enable a country to have consistent implementation of agreements without overlap or conflict of responsibilities. One shortcoming of this system is that in order to implement some environment-related agreements, modifications in domestic economic policies may be necessary. The environment entity may not have enough power to alter economic policies to implement these agreements successfully. Moreover, the environment department or ministry may not have

enough human, financial and technical resources to implement all agreements. The following are a few examples of this arrangement.

Fiji followed this system to implement the International Convention for the Prevention of Pollution from Ships (MARPOL), of 1973, which was quite successful.^{16/} For that Convention, negotiations were undertaken by the Department of Environment on behalf of the country, the actual signing of the Convention was done by the Ministry of Foreign Affairs, and implementation was the responsibility of the Department of Environment. For the implementation of this Convention, the Department established the National Pollution Committee to develop a national pollution contingency plan. Early in 1997, an oil spill occurred in the port of Suva. Fortunately, the contingency plan contained the procedures to deal with such oil spills. Moreover, equipment and trained personnel were also available to minimize the extent of the pollution. Thus, the oil spill was dealt with successfully.

However, this arrangement has not been as successful in Nepal. One of the tasks of the Ministry of Population and Environment is to work as the central coordinating body to implement international agreements. In particular, the Ministry is responsible for the incorporation and integration of various international obligations into existing or new laws. Even when the Ministry is directly responsible, the implementation of these agreements is not all that encouraging. Many conventions for which local laws were enacted or other steps taken have not yet been implemented. However, it is expected that the newly created Environment Protection Council will take appropriate steps to ensure that Nepal's international obligations are duly honoured. For this purpose, the National Planning Commission and the World Conservation Union have commissioned an extensive study on the international agreements and conventions to which Nepal is a party, to examine how these obligations can be implemented effectively. It is worth noting that, although the Ministry of Population and Environment, the Environment Population Council and the National Planning Commission are all involved in the implementation of international agreements, no division of responsibility or clarity on the role they are expected to play seems to exist.

The case of the Philippines is similar: the structure for implementation seems to be mixed. On the one hand, PCSD and the Department of Environment and Natural Resources seem to be responsible for the implementation of international agreements, but on the other hand, there are a number of committees and boards to deal with different conventions which work independently of the Department and PCSD. The Department is traditionally seen as being responsible for the enforcement of all environment policies, including those developed as a result of multilateral agreements. However, with the creation of PCSD in 1992, some roles for implementation of multilateral agreements were taken over by it. For example, PCSD has proposed the formulation of a manual of protocol to report on outcomes of major international meetings, country commitments and the status of their compliance. In what seems like a parallel effort, the Department also issued an administrative order to (a) coordinate implementation of the Department's international commitments, (b) review and evaluate the Department's compliance with international agreements, protocols etc. and (c)

recommend and implement programmes and strategies that will enhance the Department's active participation in international discussions. It seems that no linkages are yet established between PCSD and this group in the Department.

2. Several bodies created for implementation purposes

Under this arrangement, several bodies, such as boards or committees, working either independently or under different functional ministries, are created for implementing agreements. The advantage of this system is that since a separate body is created for implementing each agreement, the task of each body is well-defined and narrow in scope. It may be easier for each entity to implement a well-defined task than for one central body to implement many different tasks in several areas. Moreover, this arrangement enables each board or committee to attract staff with the specific skills to accomplish the required task.

On the other hand, a major drawback of this system is that, because of the absence of one central body, various impacts of these environmental agreements on different sectors of the economy may not be easy to analyse. Moreover, coordination of the activities of all implementing boards and committees becomes difficult. This in turn may lead to overlap, conflict or lack of consistency in implementation. Moreover, creating a new board or committee following an agreement can be a convenient way for a country to sideline these issues from mainstream activities, but at the same time show to the international community that initiatives are being taken. The following are a few examples of such arrangements.

As mentioned earlier, in the Philippines, there are many committees and boards working independently of the Department of Environment and Natural Resources and PCSD to implement specific international agreements. For example, following the Montreal Protocol, the Philippines established an inter-agency committee on climate change. It also created a programme steering committee and a technical working group to provide overall guidance and direction for the development of the country programme to implement the Montreal Protocol. In addition, it created the Montreal Protocol Secretariat in the Environment Management Bureau to help the programme steering committee and the technical working group to process applications for the importation of ozone depleting substances, and to formulate Clean Air 2000, an action plan to improve the level of air quality by 2000. In response to the Conference in 1992, the country created the National Biodiversity Unit to coordinate and monitor the preparation of the country study, national strategies and action plans to preserve biodiversity.

Sri Lanka created an inter-ministerial coordinating committee on climate change for implementation of the Framework Convention on Climate Change. This committee in turn appointed a steering committee for the purpose of preparing a national action plan on climate change for achievement of the objectives of the Convention. In addition, a Montreal Protocol Unit was established within the Ministry of Environment to coordinate matters related to the Protocol.

Almost all countries formed their own commissions for complying with Agenda 21. However, the implementation of Agenda 21, which calls for the integration of environment and economy, is undertaken on a superficial level. As memories of the Rio Conference dim, the role of these national commissions has been weakened or they have even become defunct, as in the case of the Republic of Korea.

E. Issues

The above analysis suggests that the following issues are prevalent in implementing international agreements in countries of the region.

First, in both negotiating and implementing environment-related international agreements, the problems and issues are often perceived to be only environmental, and their links to domestic economic policy and performance are not considered. However, recently there has been some change in this trend as the Rio Conference emphasized the need to link environment with economic policies to achieve sustainable development.

Second, there is often no coordination or consultation between the ministry responsible for attending the meeting and the one responsible for formulating domestic policies. This has two main implications: (a) the national position taken at meeting on international agreements may not necessarily reflect the real issues prevailing in the country, and (b) a lack of communication between the negotiator in the international forum and domestic policy planners could lead to contradictions between domestic policy and what is agreed upon at the international level.

The third issue is that, once the agreements are signed, it is not clear who decides what mechanisms (legislation or other policy incentives and disincentives) are to be used to incorporate these agreements at the domestic level. It can be assumed that, in many cases, domestic policy-formulating bodies would be involved in some way. However, since the present policy-formulating structure is not conducive to making holistic policies, it is highly likely that policies induced by international agreements are not made through integrating the environment into overall economic policy, as they often should be.

A fourth issue is that it seems that, for the implementation of these agreements, independent inter-agency committees and multi-ministry task forces have proliferated in an unplanned manner. Often, these bodies have accomplished little in terms of the actual translation of agreements into practice. One of the reasons for their ineffectiveness could be that in many cases there is no central coordinating body to monitor and evaluate their performance.

Fifth, the proliferation of international agreements has greatly increased the demands placed on the human, technological and financial resources of developing countries. Many of these countries suffer from a lack of such resources to implement these agreements effectively. For example, to implement the WTO phytosanitary provisions, a country needs to have sophisticated

scientific skills. Fiji's development of HTFA, a non-quarantine treatment technology, required considerable research and technical assistance resources.

Developing countries vocalized their concern for the existing gap in resources at the Rio Conference in 1992. It is worth noting that some agreements have already started providing funds to encourage adherence to their provisions. For example, the Montreal Protocol Fund has been created to help developing countries implement the ozone depleting substance phase-out plan. In addition, a number of other multilateral agreements have contained provisions for technical and financial assistance to induce countries to adopt policies in keeping with agreements.

The final issue relates to the lack of commitment on the part of governments to implement these agreements. In many cases, governments have paid lip service to these agreements by forming a committee or board to show the international community that something is being done, without actually doing much or doing it in a superficial way.

F. Some suggestions

The following are a few suggestions to improve the implementation of international agreements in a country.

As far as the structure is concerned, the entity responsible for domestic policy formulation should be either directly involved in the negotiation of an international agreement or should be consulted by the foreign ministry before attending the meeting. In this way, there is a potential for a country to arrive at a national position through the consideration of different aspects in an integrated effort. Once agreements are signed, the mechanism for translating them at the domestic level, and the mix of incentives, disincentives and legislation to be used, can also be decided by this policy-formulating entity. Once it is decided what mechanisms are to be used, the implementation of these agreements should be the responsibility of functional ministries related to the agreement. These entities could then decide to formulate special committees or boards to accomplish a given task if the agreements so demand. However, the decision to create a committee and subsequently to monitor its activities should lie with this functional ministry. This is in contrast to the present arrangement, where in many cases committees and boards work either independently or under many different authorities.

As far as mechanisms go, a country could use a combination of incorporating agreements in domestic policy in the form of incentives etc. and enacting domestic legislation. The right combination would depend upon many factors, such as the type of agreement, its importance for the country, private sector behaviour and the opinions of the general public.

Finally, it must be recognized that many developing countries may not have enough financial, human or technical capability to adhere to the conditions of the agreements. In order to ensure that these agreements are not used as non-tariff barriers to trade, appropriate funding, technical assistance and training should be provided to them. While some agreements themselves have started providing funds for countries willing to adhere to their provisions, the resources available

are clearly inadequate. Moreover, caution should be taken to ensure that developing countries do not use the lack of resources as an excuse to escape implementation; in some cases, it appears that mismanagement rather than lack of resources is the problem.

The analysis in the previous chapters clearly shows that, although significant steps are taken by a few countries to integrate environment into economic policy-making, several challenges need to be addressed in the future truly to accomplish this task across all countries. The next chapter highlights a few future challenges.

^{15/} Many international agreements are not legally binding in nature. However, when provisions of these agreements are incorporated in domestic law, they become legally binding in the country.

^{16/} It has also established independent boards, committees etc., to implement other agreements.